

Finding Guide

Appomattox County Board of Supervisors Minutes

SCAN GROUP	START YEAR	MICROFILM REEL	BOOK #	FORMAT
	1895	17	NA (1)	Large Format
	1901	18	NA (2)	Large Format
	1913	18	NA (3)	Large Format
	1921	18	4	Large Format
	1932	19	5	Large Format
	1940	19	6	Large Format
	1951	20	7	Large Format
	1961	20	8	Large Format
	1968	21	9	Large Format
	1972	21	10	Large Format
	1976	22	11	Large Format
	1980	22	12	Large Format
	1982	23	13	Large Format
	1984	24	14	Large Format
	1987	NA	15	Large Format
	1990	NA	16	Large Format
25 NOV 2025-17	1992	NA	17	Red Book 8.5x11
25 NOV 2025-18	1995	NA	18	Red Book 8.5x11
	1999	NA	19	Red Book 8.5x11
	2002	NA	20	Red Book 8.5x11
	2005	NA	21	Red Book 8.5x11
	2007	NA	22	Red Book 8.5x11
	2010	NA	23	Red Book 8.5x11
	2012	NA	24	Red Book 8.5x11
	2016	NA	25	Red Book 8.5x11

NOTES

Microfilm by Belinda D. Pillow (1985)

Microfilm held by the Library of Virginia

Finding Guide by Nathan A. Simpson (2025)

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on October 16, 1995 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears
Calvin Tanner
Wayne Lewis
Russell Moore
Elizabeth Edwards
Robert Johnson

Absent (Planning Commission):

R. W. Mitchell
Debra Chernault
Claude A. Moore
Charles Smith

Also Present:

Aileen T. Ferguson - County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the meeting to order at 7:00 P.M. stated the purpose of the meeting was to receive public comments on zoning petitions and explained the procedure for addressing the Board.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition number 95-266 of C. Douglas Branch to Rezone Property from R-1 to R-2. Property is located on Route 24 between Route 654 and Route 697.

Mr. Paulette called for comments concerning this petition.

Mr. Kevin O'Brien came forward and gave his address as Route 3, Box 973, Appomattox. Mr. O'Brien stated that half of the property is zoned A-1 and the other half is zoned R-1. Mr. O'Brien asked the Board to favorably consider the request to rezone to R-2.

Mr. Paulette asked for other comments on this petition, hearing none, he asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 95-270 of Appomattox County for a Conditional Zoning Permit to allow tire recycling operation at landfill

site located on Route 632 between Route 639 and Route 627. Property is zoned A-1.

Mr. Paulette called for comments on this petition. Hearing no comments, Mr. Paulette asked the Clerk to read the next petition.

Mr. Caldwell read petition number 95-271 of Andrew H. Wingfield to Rezone property from A-1 to B-1 and Conditional Use Permit to operate welding and repair shop. Property is located on Route 26 between Route 608 and Route 615.

Mr. Paulette called for comments in support of this petition.

Mr. Andy Wingfield came forward and gave his address as Route 3, Box 599-A, Appomattox, Virginia. Mr. Wingfield stated he wanted to rezone this property to put a 49' x 70' steel shop building on this property. Mr. Wingfield continued that his business would serve this community and the surrounding community with repair work. Mr. Wingfield stated that on the North Side of the property, which is the side the Church and Ray Phelps are on, he plans to plant white pines to screen his building. He continued that there was already a natural screen on the other sides.

Mr. Paulette called for other comments.

Mr. Clark Lewis came forward and stated his address as Route 3, Appomattox, Virginia. Mr. Lewis stated that Appomattox needed a welding shop in the County.

Mr. Paulette called for other comments.

Mrs. Deborah Hamilton came forward and stated her address as Route 4, Box 508, Appomattox, Virginia. Mrs. Hamilton continued by saying her land and house are directly across Route 26 from the land which is under petition to be rezoned from A-1 to B-1 with a conditional use.

Mrs. Hamilton stated that last month, Mr. Wingfield petitioned to change the zoning from A-1 to M-1 with conditional use of Auto Repair Garage and Manufacturing, Processing and Fabrication. This month he has petitioned from A-1 to B-1 with the conditional use of storage garage, farm machine display, sales and service, automobile, truck, motor home, recreational vehicle and mobile home sales, automotive repair garage, machine and body, light manufacturing, processing or package of products and machinery sales and service.

She continued by calling attention to page 17021 of Zoning Chapter 170 from the Code of Appomattox County Section 170-6 entitled "Zoning Permits" - Letter C - Application procedures for conditional use permit. Item 8, and I quote "A property owner or his appointed agent shall not initiate action for a zoning permit relating to the same conditional use affecting the same parcel of land more often than once every twelve (12) months".

On page 17004 Item 170-2 under Word Usage "Except as otherwise provided

herein, all words shall have their customary dictionary meanings" also "the word shall is always mandatory - Initiate (according to Webster's Dictionary) means to begin.

Mrs. Hamilton stated she was asking the Board of Supervisors to declare this petition out of order, according to the Zoning Code of Appomattox County, according to section 170-6 entitled "Zoning Permits-Letter C-item 8 of Chapter 170 of the Zoning Code of Appomattox County" (p.17021).

In continuing, Mrs. Hamilton stated she had with her sixteen (16) signatures of adjoining landowners and Oakville residents against this petition. She submitted copies of the signed petition and a map showing where each person lived. She explained that each person who signed the petition was concerned about the effect to this village and residential area, a business doing logging equipment repair, tractor-trailer repair and manufacturing will have. Mrs. Hamilton stated, "We are concerned about the added entrance and exit of traffic into the curve, a curve in which two (2) accidents have involved deaths. One accident caused a car to go into my house, two (2) other accidents had cars go into the church yard. It is posted 45 MPH but no one goes 45, especially the tractor-trailers. A trailer truck accident in that curve could do serious damage to my house which is the oldest house in Oakville (125 years old)".

Continuing, Mrs. Hamilton stated, they are concerned about harm to the immediate area (Oakville) by excessive production of traffic, noise, glare and excessive clutter (in violation of Section 170-6, Item 4-F p.17020).

Mrs. Hamilton does not believe this business will be operated, designed, and maintained so as to be harmonious and appropriate with existing or intended character of the general vicinity and that such use will change the essential character of the area (in violation of Section 170-6, Item 4-B, p.17020 of the Zoning Code of Appomattox).

Mrs. Hamilton is concerned that such use at the proposed location will be hazardous or disturbing to existing or future neighborhood uses. (in violation of Section 170-6, Item 4C, Appomattox Zoning Code). Since there are five (5) flat level building lots in the general vicinity-one between her and Isabel Martin, two between her and Eva Moore and one on Ray Phelps' land directly across from her, she feels no one will want to build on these lots in the future with this business so close. She also feels Mr. Wingfield is trying to locate his business as far away from his own home as possible with little regard to anyone else. Since he owns 35 acres, this is on the furthest acre from his planned home.

Mrs. Hamilton feels the vehicular approaches to the property will create an interference with traffic on the road, in violation of Section 170-6 Section 4-C.

In continuing, Mrs. Hamilton feels the requested re-zoning and Conditional use to not be compatible with existing zoning and uses in

the area (covered under Item 170-10 Conditional Zoning Item A). Her land (directly across the road) is zoned V-1 and she would assume the school lot is V-1 which under the intent 170-41 of the Village Center District, p. 17045, which states, "Retail activity is generally limited to neighborhood convenience sales and services and to visitor oriented specialities, thereby protecting against encroachment of general commercial or other similar uses likely to generate noise, light, odors, smoke or other obnoxious influences".

Mrs. Hamilton stated that, "Mr. Wingfield wants to change his property to B-1. Even Commercial District B-1 states and I quote, "Generally this district covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access but which is not characteristic either by constant heavy trucking, other than stocking and delivery of retail goods, or by limited nuisance factors, including incidental light and noise of congregation of people and passenger vehicles".

Mrs. Hamilton continued by saying, under Agriculture District A-1 (which Mr. Wingfield's land currently is zoned and is adjoining A-1 zoning lots) p.17039, Article VI and I quote, "While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however to discourage the random scattering of residential, commercial or industrial uses in this district".

Mrs. Hamilton continued, saying we are not here to debate the question of zoning since zoning is in effect in Appomattox and is advertised as such for Real Estate Sales. We are also not here to discuss whether Mr. Wingfield has the right to do as he pleases on his land since where her rights begin; his rights stop or vise-versa.

In conclusion, Mrs. Hamilton feels that once Mr. Wingfield has invested 65-70 thousand dollars in a building, plus the 35 thousand for the land, that if this business is detrimental to the community, nothing can or will be done, so she seeks to stop this re-zone and conditional permit for the sake of the Oakville village and surrounding agriculture and residential area. She ask that you say no to this petition which is clearly not in the best interest now or in the future to the Oakville area."

Mr. Paulette called for other comments.

Mrs. Linda Phelps came forward and gave her address as Route 3, Box 274, Appomattox, Virginia. Mrs. Phelps continued by saying she and her husband owned land adjoining this property and they were opposed to the rezoning. Mrs. Phelps stated she was not opposed to this business, only the location.

Mr. Paulette called for other comments.

Mrs. Marietta Irby came forward and gave her address as Route 3, Box 315, Appomattox, Virginia. Mrs. Irby stated she opposed the rezoning

because she felt it was detrimental to the Community. Mrs. Irby continued by saying she felt the traffic was going to present a problem.

Mr. Paulette asked for other comments on this petition. Hearing none, he asked the Clerk to read the next petition.

Mr. Caldwell read petition number 95-272 of Barbara M. Carter to rezone property from R-1 to R-2. Property is located on Route 604 between Route 727 and Route 719.

Mr. Paulette asked if anyone wished to comment on this petition.

Mrs. Cindy Bollinger came forward and stated her address as P. O. Box 126, Evergreen, Virginia. Mrs. Bollinger stated she was speaking on behalf of her aunt, Barbara Carter. Mrs. Bollinger continued that their request for rezoning was so that Mrs. Carter's daughter could place a mobile home on her property. Mrs. Bollinger explained Mrs. Carter did not hear well and her daughter often worried when she could not reach her mother by telephone, which resulted in trips having to be made to check on Mrs. Carter.

Mr. Paulette asked if anyone else wished to comment on this petition. Hearing no one, Mr. Paulette asked the Clerk to read the next petition.

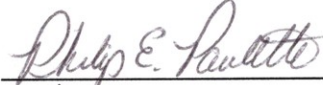
Mr. Caldwell read petition number 95-273 of Billie Jean Baldwin for a Conditional Use Permit to allow home occupation (Tanning Salon) within residence. Property is located on Route 601 between Route 460 and Route 628. Property is zoned R-1.

Mr. Paulette called for comments on this petition.

Mrs. Debbie Ferguson came forward and gave her address as P. O. Box 115, Pamplin, Virginia. Mrs. Ferguson stated her reason for this request was so they could offer the convenience of tanning to the citizens of Pamplin, so they would not have to go to Appomattox or Farmville for tanning.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette closed the public hearing at 7:38 P.M.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on October 16, 1995 at 8:53 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District

Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting back to order at 8:35 P.M.

Mr. Paulette confirmed that Mr. Brian Wishneff will meet with the Board of Supervisors on October 23, 1995 at 4:00 P.M. for a consultation about economic development.

Mr. Paulette next presented the E-911 fact sheet for Board approval. After review it was determined to eliminate "Basic 911" facts from the sheet.

After further discussion, and by consensus of the Board, the question to be asked at the polls would be as follows: "Would you be willing to pay up to \$3.00 per month on your telephone bill for E-911?"

Mr. Paulette called for other business.

Mr. Carwile asked the status of the Regional Decal Agreement.

Mrs. Ferguson explained that Tommy Lawson, County Attorney, was working on reviewing this agreement.

Mr. Paulette then called for Executive Session to discuss legal and personnel matters.

Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session at 9:00 P.M. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session at 9:15 P.M. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Carwile the following resolution be adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

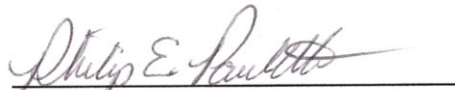
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's

knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Paulette recessed the meeting until October 23, 1995 at 4:00 P.M. in the School Board Conference Room.


Chairman

A recessed meeting of the Appomattox County Board of Supervisor's was held October 23, 1995 at 4:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Absent:

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 4:00 P.M. and introduced Mr. Brian Wishneff, President of Brian Wishneff & Associates, and turned the meeting over to Mr. Wishneff for his presentation.

Mr. Wishneff began by giving a brief profile of his economic development background.

Mr. Wishneff then explained that presently he was working as a consultant for different localities.

Mr. Wishneff continued, that after talking with Mr. Carwile, he feels what Appomattox County needs is a independent view of the economic development situation. He continued that this study may result in some type of formal economic development program that will specifically address Appomattox County's needs.

Discussion followed with Mr. Wishneff answering specific questions from Supervisors.

After discussion, and by consensus of the Board of Supervisors, Mr. Wishneff was to develop a scope of work, and cost for services, and return to the Board for review.

Being nothing further, Mr. Paulette thanked and excused Mr. Wishneff.

Mr. Paulette asked if anyone had any business for the Board.

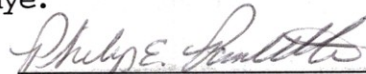
Mrs. Ferguson explained a citizen had approached her wanting the wood that was cut on power line easement at the landfill.

By consensus, the Board of Supervisors agreed the citizen could get the wood that was already cut on the easement.

Mr. Carwile asked if a current list of names, addresses, and telephone numbers of Planning Commission Members, could be provided to the Board of Supervisors.

Mrs. Ferguson stated she would take care of this matter.

Being no further business, Mr. Carwile made a motion seconded by Mr. Moore to adjourn at 5:10 P.M. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; and Mr. Moore, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on November 6, 1995 at 7:00 p.m. at the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette - Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Carwile to give the invocation.

Mr. Paulette then asked for additions or corrections to the minutes.

Mrs. Beasley made a motion seconded by Mr. Moore to approve the minutes of the regular meeting of October 2, 1995; the public hearing of October 16, 1995 and the recessed meetings of October 16, 1995 and October 23, 1995, as submitted. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked Mr. Don Austin, Assistant Resident Engineer to appear before the Board.

Mr. Austin began by reminding the Board the Six Year Plan was due to be updated, which would require a work session and a public hearing. Mr. Austin asked the Board to set those dates, if possible.

After discussion and by consensus of the Board, December 4, 1995 at 6:00 p.m. was scheduled for the Public Hearing and November 21, 1995 at 3:30 p.m. was scheduled for the work session, in the School Board Conference Room.

Mr. Austin asked if any Board member had problems that he needed to be informed about.

Mr. Carwile asked about "F" located off Route 631.

Mr. Austin explained the "F" stood for frontage road. These roads serve land locked parcels of property created by the bypass.

Mr. Carwile asked if Mrs. Jones whose property joins this road, could use this road.

Mr. Austin stated as long as Mrs. Jones' property adjoins this road, Mrs. Jones could have the use of this frontage road.

Mr. Carwile also stated that on Route 26 there were several new driveways cut which caused a lot of water to be dumped into Route 26, causing a safety hazard.

Mr. Austin said he would check on this problem.

Mr. Carwile also stated on Route 608 there was a problem with the shoulders.

Mr. Austin stated he would talk to the Maintenance Superintendent about this problem.

Mr. Carwile also stated that a representative from the Eddie Gunter Subdivision would be meeting with the Board on December 4, 1995, to discuss their problem. He feels these property owners were misled by someone into believing their road would be taken over by the State.

Mr. Torrence asked if there had been a response on the requested speed limit change on Route 24.

Mr. Austin stated, there had not, but it had been turned over to the traffic engineer.

Mr. Torrence next noted that he and Mr. Carwile had met with Mr. Marshall on Route 622 concerning donating the right-of-way so that portion of road that was unpaved could be improved. Mr. Torrence continued that neither Mr. Marshall nor Mr. Kress were willing to donate any right-of-way, and asked what would the next step be in the process.

Mr. Austin stated the Board of Supervisors had the right to condemn the property.

Discussion followed. After discussion, Mrs. Beasley stated that she and Mrs. Ferguson would talk with Mr. Kress about donating this section of right-of-way on Route 622.

Mr. Torrence next asked the status of road improvements on "Frogbottom" in Pamplin. He explained he had contacted the property owners and felt the right-of-way may be obtainable at this time. Mr. Torrence asked if Mr. Austin would have the right-of-way staked so the property owners could see what would be required for them to donate.

Mr. Austin stated he would take care of having the right-of-way staked.

Mr. Torrence next asked Mrs. Ferguson if she had received any information of Route 701.

Mrs. Ferguson explained she had spoken with Mr. Jon Montgomery and he was presently working with the Highway Department to resolve this matter.

Mrs. Beasley stated that the shoulder of the road on Route 691 needs building up.

Mr. Austin stated he would look into this.

Mr. Carwile asked about a ditch on Patricia Ann Lane that was excessively deep.

Mrs. Ferguson stated she had spoken with Ms. Lindsay about this ditch and Ms. Lindsay had explained, if the ditch was necessary for drainage there was very little that could be done to alleviate this problem.

Mr. Austin said he would check on this also.

Being nothing further for Mr. Austin, Mr. Paulette thanked and excused him.

Mr. Paulette next called for Supervisor concerns.

Mr. Carwile mentioned an article that was printed in the News and Advance on October 25, 1995 concerning B & W diluting uranium. Mr. Carwile stated he felt the Board should keep an eye on this project due to the County's proximity to B & W.

Mr. Carwile next stated that he had received complaints concerning the placement of a recycling dumpster on property owned by James Bohannon located on Route 460. Mr. Carwile continued that he had no problem with the dumpster remaining at this location until needed elsewhere, but he felt the container should be moved to the opposite side of the lot in order to correct the complaints from neighbors.

Mr. Paulette stated he had received a complaint from one of the neighbors and felt the container being moved to the opposite side of the lot would solve the immediate problem.

After discussion, and by consensus of the Board, Mrs. Ferguson was instructed to have Mr. Peterson, Solid Waste Administrator, either move the recycling container at Bohannon's to the other side of the lot or bring it back into the landfill.

Mr. Carwile asked Mrs. Ferguson if everything was in order at Stonewall Voting Precinct for the next day.

Mrs. Ferguson stated Mr. Martin had gotten all the precinct buildings cleaned and ready for election.

Mr. Carwile next asked if the Board had noticed an article in the bulletin from VACo concerning localities receiving free equipment.

Mrs. Ferguson was to check into this.

Mr. Torrence asked about the progress of the tire shredding business.

Mrs. Ferguson stated everything was moving along.

Mr. Torrence asked if all as in place for the "straw poll" on E911.

Mrs. Ferguson explained all the literature had been given to Mr. Jack Layne for the students to present to the public, along with the survey sheets.

Being no further Supervisor Concerns, Mr. Paulette presented the first administrative item, Planning Commission Recommendations.

Mr. Paulette read petition #95-266 of C. Douglas Branch to rezone property on Route 24 from R-1 to R-2. Mr. Paulette explained the Planning Commission recommended disapproval of this request.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to accept the Planning Commission's recommendation and disapprove petition #95-266 of C. Douglas Branch to rezone property from R-1 to R-2. Property is located on Route 24 between Route 654 and Route 697. Vote: Mr. Paulette, nay; Mrs. Beasley, aye; Mr. Carwile, nay; Mr. Moore aye; and Mr. Torrence, aye.

Mr. Paulette next read petition #95-270 of Appomattox County for a Conditional Zoning Permit for a tire recycling operation at the landfill. Mr. Paulette stated the Planning Commission recommended approval.

Mr. Torrence made a motion seconded by Mr. Moore to accept the Planning Commission recommendation and approve petition #95-270 of Appomattox County for a Conditional Zoning Permit to allow the recycling operation at landfill site located on Route 632 between Route 639 and Route 627.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next read petition #95-271 of Andrew H. Wingfield to rezone property from A-1 to B-1 and Conditional Use Permit to operate welding and repair shop. The Planning Commission recommended approval.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to accept the Planning Commission recommendation and approve petition #95-271 of Andrew H. Wingfield to rezone property from A-1 to B-1 and conditional use permit to operate Welding and Repair Shop on property located on Route 26 between Route 608 and Route 615. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mr. Paulette stated petition #95-272 of Barbara M. Carter had been withdrawn.

Mr. Paulette then read petition #95-273 of Billie Jean Baldwin for Conditional Use Permit, Planning Commission recommended approval.

Mr. Moore made a motion seconded by Mrs. Beasley to accept the Planning Commission's recommendation and approve petition #95-273 of Billie Jean Baldwin for a Conditional Use Permit to allow home occupation (tanning salon) within residence. Property is located on Route 601 between Route 460 and Route 628. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Willie Craft had agreed to fill the vacancy on the Central Virginia ASAP Policy Board.

Mrs. Beasley made a motion seconded by Mr. Moore to appoint Willie Craft to the Central Virginia ASAP Policy Board for a term to expire August 31, 1998. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette also told the other Board members that Ralph Reider had agreed to serve on the Disabilities Services Board.

Mrs. Beasley made a motion seconded by Mr. Torrence to appoint Ralph Reider to the Disabilities Services Board to fill Mr. Bookie Johnson's unexpired term (Mr. Reider's term will expire November 1, 1997). Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Central Virginia Planning District Commission for the Board to submit the names of three citizens for possible appointment to the Region 2000 Welfare Reform Steering Committee.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to appoint Mr. Frank Carwile to the Region 2000 Welfare Reform Steering Committee. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, abstain; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented appropriation request from the Law Library Fund, the Landfill, Sheriff's Department, Chamber of Commerce, CenterState 29, Civil War ISTFA Grant and County Administrator.

Mr. Carwile made a motion seconded by Mrs. Beasley to appropriate \$930.18 from the law library fund for the month of November, 1995. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mrs. Beasley to appropriate #245.40 to 4204-3004. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$1,459.82 to 3102-5408. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson presented a quote to repair gutters, etc. in the Courthouse Complex.

After discussion, and by consensus of the Board, Mrs. Ferguson was directed to contact J. E. Jamerson & Sons and J. E. Sears to see if they would bid on this project.

Mr. Paulette presented a request from the Chamber of Commerce for funds to replace their computer system.

After discussion, no action was taken.

Mr. Paulette next presented a request from CenterState 29 for the County to participate in their brochure.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$1,500.00 to participate in CenterState 29. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette read a request for Appomattox to participate in another ISTFA Grant.

After discussion, no action was taken.

Mr. Paulette then presented the proposal from Mr. Brian Wishneff for consultant services for economic development strategy.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$19,800.00 to 1101-3002 and accept Mr. Wishneff's proposal for consultant services. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the Holiday Schedule for County employees for approval.

Mrs. Beasley made a motion seconded by Mr. Torrence to adopt the same holiday schedule as State employees. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next directed the Board's attention to petitions from citizens in the Stonewall and Piney Mountain area's requesting a container site.

After discussion, no action was taken.

Mr. Paulette presented request for resolutions from Clarke County Board of Supervisors and Augusta County Board of Supervisors.

After discussion, Mr. Torrence made a motion seconded by Mrs. Beasley to adopt the following resolution:

RESOLUTION

WHEREAS, Dr. Charles W. Curry will enter his third full term on the Augusta County Board of Supervisors, January 1, 1996; and

WHEREAS, Charles W. Curry has been elected by his peers twice to hold the office of Chairman; and

WHEREAS, in his eight years on the Augusta County Board of Supervisors, Charles W. Curry has served on an extremely wide range of Board appointments to various boards and commissions during his tenure on the Board of Supervisors; and

WHEREAS, prior to his election to the Board of Supervisors, Charles W. Curry served for eight years on the Augusta County School Board; and

WHEREAS, since 1992, Charles W. Curry has represented region five on the Virginia Association of Counties Board of Directors; and

WHEREAS, Charles W. Curry has served on various VACo steering committees and is currently Chairman of the Transportation Steering Committee and a member of the Resolutions Committee; and

WHEREAS, Charles W. Curry is a farmer, an educator, and extremely active in youth activities, such as the 4-H program; and

WHEREAS, Charles W. Curry has expressed an interest and desire to continue his service with the Virginia Association of Counties by seeking the office of Second Vice President;

NOW, THEREFORE, BE IT RESOLVED at the meeting on November 6, 1995, the Appomattox County Board of Supervisors unanimously support and recommend to all counties in the Commonwealth the election of Charles W. Curry as the Virginia Association of Counties Second Vice President;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Appomattox County Board of Supervisors choose to extend their enthusiastic support of Charles

W. Curry as Virginia Association of Counties Second Vice President to all counties in the Commonwealth of Virginia.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette read a request from Central Virginia Area Agency on Aging for a waiver of landfill fees.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to waive landfill fees for Central Virginia Area Agency on Aging jobs for Thelma Daniels and Alberta Culpepper. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the Sons of Confederate Veterans Garland-Rodes Camp #409 for approval for an Adopt-A-Spot program.

Mr. Moore made a motion seconded by Mr. Carwile to approve the Adopt-A-Spot application for the Sons of Confederate Veterans, Garland-Rodes Camp #409 to adopt Lee's Rearguard at Vera. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Central Virginia Planning District Commission for three nominees for possible appointment to the Central Virginia Housing Consortium Board of Directors.

After discussion and by consensus of the Board it was agreed to ask J. B. Drinkard, Lawrence Tanner and Frank Carwile if they would agree to serve on the Housing Consortium Board of Directors if chosen. Mr. Paulette explained that only one person would be chosen from the three (3) nominees.

Mr. Paulette presented additional appropriation request from Pamplin Volunteer Fire Department, Virginia Cooperative Extension and the Landfill.

Mrs. Ferguson explained that Pamplin Volunteer Fire Department was requesting funding to lease a tanker for approximately six (6) months.

After discussion, and by consensus, the Board asked Mrs. Ferguson to have Mr. Baldwin provide information as to the cost of leasing the truck for this period of time.

Mrs. Ferguson next explained that Mrs. McClenny was requesting the carpet in her office be replaced and the walls be painted.

After discussion, Mrs. Ferguson was directed to evaluate the need in the Extension Office.

Mr. Paulette presented a request from the landfill for an additional appropriation to pay for dry weather sampling.

Mrs. Beasley made a motion seconded by Mr. Moore to appropriate \$1,042.50 for one (1) dry weather sampling event at the landfill. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mr. Paulette next asked Thomas Lawson, County Attorney to present the proposed Regional Compact Decal Agreement.

Mr. Lawson explained the Board needed to set a date for a public hearing on the Decal Ordinance.

After discussion and by consensus of the Board, December 18, 1995 at 6:30 P.M. in the Courthouse was scheduled for the public hearing on the Decal Ordinance.

Mr. Lawson next explained a resolution was necessary giving Mrs. Ferguson, County Administrator, permission to enter into this regional decal agreement.

After discussion, Mrs. Beasley made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION

A RESOLUTION authorizing the County Administrator to sign on behalf of the County of Appomattox a compact between the County of Appomattox and the Central Virginia Planning District Commission for the joint enforcement of motor vehicle ordinances of the said jurisdictions.

WHEREAS, Section 46.2-752(K) of the Code of Virginia permits the governing bodies of any two or more counties, cities or towns to enter into compacts for the enforcement of local motor vehicle license ordinances; and

WHEREAS, the County of Appomattox and the Central Planning District Commission have agreed to enter into a Compact for the Enforcement of Vehicle Decal Ordinances to enforce such local ordinances and as a means to enhance the collection of local revenue

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox, Virginia, that the County Administrator is authorized to sign and enter into a Compact for the Enforcement of Vehicle Decal Ordinances with the Central Virginia Planning District Commission.

I hereby certify that the foregoing is a true and exact copy of a Resolution adopted at a regular meeting of the Board of Supervisors of the County of Appomattox, Virginia, held on November 6, 1995 at which said meeting a quorum was present and voted.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Mr. Peterson, Solid Waste Administrator, to close the landfill on Saturdays.

After discussion, no action was taken.

Mr. Paulette next explained to the other Board members that Mrs. Laura McClenny was due for her evaluation and if anyone wished to have input into her evaluation, please contact Mrs. Ferguson.

Mr. Paulette asked if the other Board members wished to give Appomattox's, proxy for the VACo Annual meeting, to another locality. No action was taken.

Mr. Paulette made note of the changes in the proposed E911 Ordinance and asked if the Board wanted to set a date for public hearing.

After discussion and by consensus of the Board it was agreed to table action on this issue until after the "straw poll".

Mr. Paulette presented the proposed revisions to the Real Estate Tax Ordinance, and asked for a date for public hearing.

After discussion and by consensus the Board agreed to schedule December 18, 1995 at 6:30 P.M. in the Courthouse as the date for the public hearing on proposed tax ordinance changes.

Being no further business, Mr. Paulette explained an executive session was necessary to discuss legal and personnel matters.

Mr. Moore made a motion seconded by Mrs. Beasley to enter into executive session at 9:35 P.M. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mrs. Beasley seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 10:35 P.M. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mrs. Beasley seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

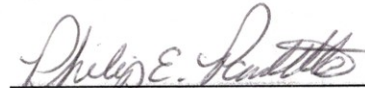
NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's

knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette stated that the request from Sheriff Richardson would be acted upon at a later date.

Being no further business, Mrs. Beasley made a motion seconded by Mr. Moore to recess until after the public hearing on November 20, 1995. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on November 20, 1995 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Russell H. Moore, Vice-Chairman - Piney Mountain District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent (Board of Supervisors):

Philip E. "Gus" Paulette, Chairman - Courthouse District

Present (Planning Commission):

Al Sears
Wayne Lewis
Robert Johnson
Calvin Tanner
Elizabeth Edwards
Russell Moore

Absent (Planning Commission):

R. W. Mitchell
Charles Smith
Claude A. Moore

Also Present:

W. M. Caldwell, Jr., - Clerk, Planning Commission
Aileen T. Ferguson - County Administrator
Garet K. Bosiger - Supervisor Elect

Mr. Moore, Vice-Chairman, called the meeting to order at 7:05 P.M. stated the purpose of the public hearing was to receive comments on zoning permits.

Mr. Moore then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition #95-274 of William McFadden/Lisa Cox for a Conditional Use Permit to allow home occupation (office for vending business) within residence. Property is located on Route 618 between Route 614 and Route 614. Property is zoned A-1.

Mr. Moore asked if anyone wished to comment on this petition.

Hearing no comments, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #95-275 of H. Broderick Pack to rezone property from R-2 to B-1. Property is located on Route 1012 between Route 460 and Route 5-1014.

Mr. Moore asked if anyone wished to comment on this petition.

Mr. Brod Pack came forward and gave his address as P. O. Box 489, Appomattox, VA. Mr. Pack asked the Board to approve his petition.

Mr. Moore asked if anyone else wished to comment on this petition.

Hearing no one, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #95-276 of Barbara M. Carter and others to rezone property from R-1 to R-2. Property is located on Route 604 between Route 727 and Route 719, and is all the lots shown on tax map #88 A (1).

Mr. Moore asked if anyone wished to comment on this petition.

Mrs. Cindy Bollinger came forward and gave her address as P. O. Box 126, Evergreen, VA. Mrs. Bollinger stated she was speaking on behalf of her aunt, Barbara Carter and others, and explained that all the property owners in this R-1 section wished to rezone their property to allow mobile homes.

Mr. Moore asked if anyone else wished to comment on this petition.

Hearing no other comments, Mr. Moore asked Mr. Caldwell to read the next petition.

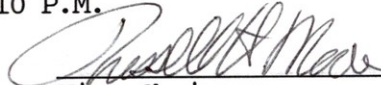
Mr. Caldwell read petition #95-277 of Larry R. Rakes to rezone property from R-1 to M-1. Property is located on Route 460 between Route 630 and Route 633.

Mr. Moore called for comments on this petition.

Mr. Larry Rakes came forward and gave his address as Route 2, Box 784, Appomattox. Mr. Rakes continued by saying he was the owner of Anchor Industrial Sales which was located in Appomattox. Mr. Rakes stated he plans to build and operate a warehouse at this location and his hours of operation would be from 8 AM to 5 or 6 PM. Mr. Rakes said he had spoken with the neighbors and received no opposition.

Mr. Moore asked if anyone else wished to comment on this petition.

Hearing no further comments and being no further petitions, Mr. Moore closed the public hearing at 7:10 P.M.


Vice-Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on November 20, 1995 at 8:32 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Garet K. Bosiger - Supervisor Elect

Mr. Paulette reconvened the meeting at 8:32 p.m. and congratulated Mr. Torrence and Mr. Carwile on their re-election and welcomed Mr. Bosiger as Supervisor Elect.

Mr. Paulette then explained there were a few items that needed to be acted upon and asked Mrs. Ferguson to present these items.

Mrs. Ferguson began by explaining that Mr. Carwile had declined the recent appointments to the Region 2000 Welfare Board and the Central Virginia Housing Consortium. She explained that Mr. Carwile felt uncertain as to whether these appointments may constitute a conflict of interest and therefore would prefer not to serve.

After discussion, Mr. Carwile made a motion seconded by Mrs. Beasley to submit the name of Garet Bosiger, Supervisor Elect, to the Central Virginia Housing Consortium Board of Directors. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mrs. Beasley to appoint Mr. Philip Paulette to the Region 2000 Welfare Board. Vote: Mr. Paulette,

aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next told the Board that she had spoken with Mr. James Bohannon concerning the decision on the recycling container that is stationed on his property. Mrs. Ferguson explained that Mr. Bohannon did not want to move the container. He felt the place the container was presently located was a better spot but if it had to be moved, he wanted to place it on the opposite side of the building towards the back of the lot.

Discussion followed, and by consensus, the Board determined the recycling container at Bohannon's should be placed in the area near the utility pole in front of the building.

Mr. Torrence then brought up the subject of the Pamplin Depot. Mr. Torrence provided background information on this subject and explained that the Town of Pamplin was working to try to get Norfolk Southern Railroad to turn this property over to the Town. Mr. Torrence asked the Board of Supervisors to adopt a resolution supporting the railroad donating the building and property to the Town of Pamplin.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution:

RESOLUTION

PAMPLIN DEPOT

WHEREAS, the Appomattox County Board of Supervisors at it's recessed meeting on November 20, 1995, discussed the disposition of the old Pamplin Depot; and

WHEREAS, the Appomattox County Board of Supervisors is aware that the Town of Pamplin has an interest in obtaining this building; and

WHEREAS, the Appomattox County Board of Supervisors feels there is a great need for a community building in the Pamplin area;

NOW, THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors supports the Town of Pamplin's request for Norfolk Southern Railroad to donate the Pamplin Depot and the property it is located on to the Town of Pamplin for community use.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mrs. Ferguson next presented information from the Chamber of Commerce on the donations received towards the purchase of their computer system. Mrs. Ferguson explained the Chamber had received \$1,200.00 and needed an additional \$800.00.

After discussion, Mr. Torrence made a motion to appropriate \$800.00 to the Chamber of Commerce to help purchase a computer system.

Motion died for lack of a second.

Mr. Torrence next asked the Board to appropriate \$200.00 to the Pamplin Volunteer Fire Department to help with the cost of their Christmas Dinner.

Mr. Torrence made a motion seconded by Mrs. Beasley to appropriate \$200.00 to the Pamplin Volunteer Fire Department designated for their Christmas Dinner. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile asked the other Board members if they felt it would be appropriate to have a party for Nina since she would be going off the Board in December 1995.

Discussion followed with the 15th of December being set as the date for Mrs. Beasley's party.

Mrs. Ferguson next asked Mr. Moore if he could take Dr. Siano to Richmond to speak before the SCC on the G. T. E. rate increase.

Mr. Moore stated he would be able to attend.

Mr. Torrence stated he would be unable to attend the work session with VDOT and asked if the other Board members would mention "frogbottom" as a priority from his area.

Being no further business, Mr. Paulette called for executive session to discuss legal and personnel matters.

Mrs. Beasley made a motion seconded by Mr. Carwile to enter into executive session at 9:00 p.m. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 9:38 p.m. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of

Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

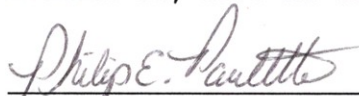
Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Upon returning to regular session Mr. Carwile made a motion seconded by Mr. Torrence to extend Walter Carson's sick leave for 30 days, considering his dedication and service to the County. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence asked if Mrs. Ferguson could check the Supervisor pay in surrounding counties and see if Appomattox should not adjust their pay at this time.

After discussion, Mr. Paulette checked the Supervisor's Manual and it was determined that Supervisors pay can only be adjusted "before July 1 of the year in which at least one-half of the supervisors are to be elected, the current board, by a recorded vote of a majority present, sets the maximum annual compensation. This limit becomes effective on January 1 of the following year. Except under certain alternative forms of government, which prescribe the maximum salary for the board chairman, the board of supervisors may fix the chairman's and vice-chairman's salary at a level above the limits set for other board members. The salary of an incumbent supervisor may not increase during his or her term of office. This restriction does not apply, however, when the supervisors are elected annually for staggered terms or if the maximum limits are found to be erroneous and are subsequently corrected."

Being no further business, Mr. Carwile made a motion seconded by Mr. Moore to adjourn until 3:30 p.m., November 21, 1995 in the School Board Conference Room.


Chairman

A recessed meeting and work session was held on November 22, 1995 at 3:30 p.m. in the School Board Conference Room, North Court Street, Appomattox, VA.

Present:

Russell H. Moore, Vice-Chairman - Piney Mountain District
Frank H. Carwile - Wreck Island District
Nina B. Beasley - Falling River District

Absent:

Philip E. "Gus" Paulette - Courthouse District

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Garet K. Bosiger - Supervisor Elect

Sandra Lindsay - Resident Engineer, Virginia Department of
Transportation

Don Austin - Virginia Department of Transportation

Mr. Moore, Vice-Chairman, called the meeting to order at 3:30 p.m. and asked Ms. Lindsay and Mr. Austin to present information on the Secondary Road System Six Year Plan.

Ms. Lindsay began by explaining that each Board member had been provided a copy of the previous Six Year Plan for review prior to this work session. (Copy #1 of file in November 1995 Board file.) Ms. Lindsay continued that Mr. Austin had taken the remaining four years of the Plan and worked up a draft based on projected money which he was handing out to the Board. (Copy #2 on file in November 1995 Board file.) Ms. Lindsay provided a thorough explanation of funding allocations and project estimates and how the allocations were made. Ms. Lindsay then asked Mr. Austin to explain his estimates to the Board.

Mr. Austin provided a detailed review of the projects in the Six Year Plan.

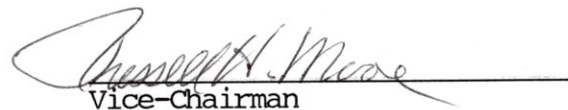
After plan review discussion followed as to which projects were of the greatest priority.

After discussion, it was agreed to move Route 641, priority #8, to priority #7; and move Route 608, priority #7 to priority #8.

Mr. Austin next discussed with the Board traffic counts on the Unpaved Road Priority List. (Copy #3 and #4 in November 1995 Board file.)

After review and discussion, and by consensus of the Board, it was agreed to leave the unpaved road priority list as submitted.

Being no further business, Mrs. Beasley made a motion seconded by Mr. Carwile to adjourn. Vote: Mr. Moore, aye; Mrs. Beasley, aye; and Mr. Carwile, aye.


Vice-Chairman

A public hearing of the Appomattox County Board of Supervisors was held on December 4, 1995 at 6:00 p.m. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District

Nina B. Beasley - Falling River District

Russell H. Moore - Piney Mountain District

Dennis W. Torrence - Appomattox River District
 Frank H. Carwile - Wreck Island District (arrived at 6:17 p.m.)

Also Present:

Aileen T. Ferguson - County Administrator
 Sandra Lindsay - Resident Engineer) Virginia Department
 Don Austin - Ass't Resident Engineer) of
 Robert Brown - Contract Administrator) Transportation

Mr. Paulette opened the hearing at 6:00 p.m. and explained the purpose of the hearing was to receive public requests for secondary road improvements and new additions. Mr. Paulette then turned the meeting over to Ms. Sandra Lindsay, Resident Engineer.

Ms. Lindsay introduced Mr. Don Austin, Assistant Resident Engineer and Mr. Robert Brown, Contract Administrator and explained that Mr. Don Austin would be presenting the proposed plan.

Mr. Austin began by explaining the process involved in the hearings and the purpose of the hearing. Mr. Austin next presented handouts (copy of #1 in December 1995 Board file) with the proposed budget and secondary road priority list.

Mr. Austin then reviewed the priority list and the budget. After this review Mr. Austin called for requests for improvements or additions to the secondary road system by Electoral Districts.

Mr. Austin asked for requests from Courthouse District.

Hearing none, Mr. Austin called for requests from Piney Mountain District.

Mr. David Nash came forward and gave his telephone number as 352-2674. Mr. Nash stated he was making a request for improvements to Route 656 from Route 24 to the end of the unimproved road surface.

Mr. Jerry Small came forward and gave his telephone number as 352-8612. Mr. Small continued by stating that he was speaking on behalf of all the residents on Route 1011. Mr. Small said there were twenty houses and eleven mobile homes on this road and that the road needed considerable improvements both to it's surface and it's width. (Residents present with this delegation: Jack W. Burks; H. B. Pack; Jewel Ferguson; Eve Thomas; Mrs. Wayne Ferguson; and Mrs. Mary Martin.)

Mr. H. B. Pack came forward and gave his address as P. O. Box 188, Appomattox, Virginia and telephone number 352-8472. Mr. Pack is also concerned with Route 1011. He stated he felt the bypass should have come back to Route 656 instead of the selected location. Mr. Pack continued that the intersection of Route 656 and Route 1011 extremely dangerous during ice and snow.

Mr. Austin called for requests for Falling River District.

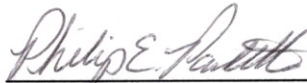
Hearing none, Mr. Austin called for requests in Appomattox River District.

Mr. Dennis Torrence stated he was speaking on behalf of Pamplin Town Council and requested improvements to Main Street in Pamplin. Mr. Torrence explained the street needed to be leveled and repaved.

Mr. Austin asked for requests in Wreck Island District.

Mr. Gray Nash came forward and gave his telephone number as 352-2893. Mr. Nash requested improvements to Route 644 from Route 636.

Being no further requests, Mr. Paulette closed the public hearing at 6:40 P.M.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on December 4, 1995 at 7:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, VA.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Moore to give the invocation.

Mr. Paulette next explained that additional items had been added to the agenda.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Moore made a motion seconded by Mrs. Beasley to approve the minutes of the regular meeting of November 6, 1995; the public hearing of November 20, 1995; and recessed meetings of November 20, 1995; and November 22, 1995 as submitted. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called on Don Austin, Assistant Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Mr. Austin explained that he would draft a resolution for final approval of the Six-Year-Plan to be submitted to the Board at the January 1996 meeting.

Mr. Austin then asked if any Board member had questions for Mr. Austin.

Mr. Carwile began by providing copies of Code of Virginia Section 33.41-1. Mr. Carwile asked Mr. Austin if he were familiar with this Code Section and if this would apply to State Route 622.

Mr. Austin stated he was not familiar with this code section but would review and return to the Board at a later meeting.

Mr. Torrence asked the status of the speed limit change on Route 24 at Vera.

Mr. Austin stated the field study had been completed but the report had not been issued, to date.

Mr. Paulette asked if anyone had further questions for Mr. Austin.

Being no further questions, Mr. Paulette thanked Mr. Austin for his time.

Mr. Paulette next called Mr. Ricky Baldwin, with the Pamplin Volunteer Fire Department, to appear before the Board.

Mr. Baldwin began by giving a brief background report on their tanker accident and the status of the repairs to the vehicle. Mr. Baldwin then explained that the fire department had decided to upgrade this truck to pumper status at an additional cost of \$25,000.00 and asked if the Board of Supervisors would fund this additional money.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$8,865.00 per year, for three years, with the first payment being made July 1996. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Mr. Baldwin and called on Mr. Franklin Vaughan, President of the Chamber of Commerce, to appear before the Board.

Mr. Vaughan began by thanking the Board for allowing him time to give a brief report on Chamber Activities for the past few months.

Mr. Vaughan gave a report to the Board explaining what the Chamber has been doing and also the activities of the visitor's center. Mr. Vaughan continued by asking the Board to continue forward with plans to extend infrastructure to an industrial site and encouraged the Board to hire someone to handle Economic Development and Tourism. Mr. Vaughan then introduced Mr. Brett Thompson, Chairman of the recently formed Marketing Committee and explained that Mr. Thompson would report on the progress of the marketing plan.

Mr. Thompson gave a progress report on the status of the marketing plan. He continued by stating that three (3) of the Marketing Committee members had attended a training session in Richmond, the previous week to help develop an ad campaign for our particular budget and needs. Mr. Thompson also informed the Board that the ad agency advised us to become involved in as many regional efforts as possible.

Being nothing further for Mr. Vaughan and Mr. Thompson, they were thanked and excused.

Mr. Paulette next called on Mr. Wayne Childs, a representative from one of Eddie Gunter's Subdivision's located off Route 669.

Mr. Childs began by explaining his reason for coming before the Board was to request a road into their subdivision. Mr. Childs continued by giving background information on what they had done over the years to have their road taken into the State system.

Mr. Childs then asked the Board for any assistance they could provide towards helping them put their road in.

After discussion, Mrs. Ferguson was instructed to contact Ms. Lindsay to see what can be done to help the property owners in this subdivision.

Mr. Paulette then thanked and excused Mr. Childs and called for Supervisor concerns.

Mr. Carwile reminded the other Board members that the organizational meeting in January fell on a holiday, therefore, the meeting would automatically fall on the following day.

By consensus of the Board it was decided to meet in the Courthouse at 7:00 P.M. on January 2, 1996.

Mr. Carwile reminded the Board that they had discussed, at a previous meeting, the use of chipped tires in drainfields, in place of stone. Mr. Carwile stated that other states were giving end users of the recycled product \$30.00 per ton as an incentive to continue using this recycled product.

A lengthy discussion followed. After discussion, Mrs. Ferguson was directed to obtain information on end user fees and bring back to the Board at a later date.

Mr. Carwile next presented Mrs. Ferguson with a card from a local contractor and suggested he be contacted and given an opportunity to bid on the Courthouse Square building repairs.

Mr. Moore reported that in the last landfill inspection, we had been written up for stray dogs at the landfill and requested that some action be taken to eliminate the problem.

Mr. Torrence next gave an update on the Pamplin Train Station situation. Mr. Torrence asked Mrs. Ferguson to check to see if the

railroad could place mobile homes on this lot to use for work trailers. Mr. Torrence, also, stated that Pamplin may offer to swap property with the railroad.

Mr. Torrence also asked Mrs. Ferguson if she would have the Sheriff's Department provide an inmate report for the past six months as well as where we would house inmates if Camp 24 were given to the Regional Jail.

Mr. Paulette next moved to Administrative Items.

The first administrative item for consideration was the zoning request from the November 20, 1995 public hearing.

Mr. Paulette stated that the Planning Commission had recommended approval of all petitions heard on November 20, 1995.

Mr. Torrence made a motion seconded by Mrs. Beasley to accept Planning Commission recommendations and approve petition #95-274 of William McFadden/Lisa Cox for a Conditional Use Permit to allow home occupation (office for vending business) with residence. Property is located on Route 618 between Route 614 and Route 614 and is zoned A-1;

Petition #95-276 of Barbara M. Carter and Others to rezone property from R-1 to R-2. Property is located on Route 604 between Route 727 and Route 719 and is all the lots shown on Tax Map #88A(1);

Petition #95-277 of Larry R. Rakes to rezone property from R-1 to M-1. Property is located on Route 460 between Route 630 and Route 633.
Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented request for appropriations from Courthouse Maintenance Fund - Law Library - Williams, Mullen, Christian and Dobbins.

After discussion, Mr. Moore made a motion seconded by Mrs. Beasley to appropriate \$956.73 from the Courthouse Maintenance Fund for the month of December 1995. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Beasley made a motion seconded by Mr. Carwile to appropriate \$267.51 from the Law Library Fund for the month of December 1995. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Discussion followed concerning Williams, Mullen, Christian and Dobbins request for the Board to participate with other localities in hiring them to present local government views on the issues of restructuring of and competition of the Electric Utility industry. No action was taken.

Mr. Paulette next asked the other Board members for names for possible appointments to the Board of Equalization.

The following names were submitted: Stonewall District - Gary Turner and Glenn Doss; Cloverhill District - Bob McClenny, Berk Drinkard and Tommy O'Brien; Southside District - George Morris or Jim Nolen.

Mrs. Ferguson was directed to contact these citizens to see if they were willing to serve if appointed and then submit names to the judge for appointment.

Mr. Paulette next explained that the Comprehensive Plan for Appomattox County needed to be approved by January 1, 1996.

After discussion and by consensus of the Board, it was agreed to make this decision after the public hearing on December 18, 1995.

Mr. Paulette next explained that the County's insurance was up for renewal and the Board needed to set a date to review the proposals prior to December 31, 1995.

After discussion, the Board decided to meet on December 28, 1995 at 12:00 noon in the School Board Conference Room to decide on insurance carrier for the next three (3) years.

Next, Mr. Paulette presented an application for Bingo and Raffle Permit for Spout Spring Ruritan Club.

Mrs. Beasley made a motion seconded by Mr. Torrence to approve a Bingo and Raffle Permit for 1996 for the Spout Spring Ruritan Club. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that Mrs. Ferguson had presented several additional bids on work to the Courthouse complex buildings.

After discussion, this matter was continued until the January 1996 meeting.

Mr. Paulette brought the Board's attention to an agreement drafted by William Hefty, Attorney, concerning juvenile detention. Mr. Paulette explained this was for information only, at this time, but the Board would be asked to make a decision on this at a later date.

Mr. Torrence told the other Board members that he felt the Board should appropriate \$200.00 to donate to the rescue squad for their Christmas meal.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$200.00 to the Appomattox County Rescue Squad for their Christmas dinner. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further administrative items, Mr. Paulette explained that an executive session was needed to review some legal matters.

Mr. Moore made a motion seconded by Mrs. Beasley to enter into executive session at 8:45 p.m. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mrs. Beasley seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:15 P.M. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mrs. Beasley seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mrs. Beasley to have Mr. Lawson, County Attorney proceed with agreement on precinct right-of-way on Route 648 and the Route 648 container site. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

After discussion, and by consensus of the Board, it was agreed to schedule a public hearing on January 15, 1996 at 6:30 p.m. concerning the disposition of a small portion of County property near the School Bus Shop.

Being no further business, Mrs. Beasley made a motion seconded by Mr. Carwile to recess until after the public hearing on December 18, 1995. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; Mr. Moore aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on December 18, 1995 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia. 24522.

Present:

Philip E. "Gus" Paulette - Courthouse District
Nina B. Beasley - Falling River District
Russell H. Moore - Piney Mountain District

Absent:

Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Also Present:

Garet K. Bosiger - Supervisor Elect

Mr. Paulette called the hearing to order at 6:30 p.m. stated the purpose of the hearing was to receive public comments on a proposed Regional Decal Enforcement Ordinance and amendments to Article V, Section 147-12, A. & C., Appomattox County Code.

Mr. Paulette next read the Proposed Regional Decal Ordinance as follows:

ORDINANCE SECTION 168-19

WHEREAS, Virginia Code Section 46.2-752(K), as amended, allows the governing bodies of any two or more counties, cities, or towns to enter into compacts for the regional enforcement of local motor vehicle license requirements; and

WHEREAS, the County of Appomattox has agreed to enter into a Compact for the Enforcement of Vehicle Decal Ordinances to provide for the enforcement of such local ordinances; and

WHEREAS, by resolution adopted earlier in this meeting, the Board of Supervisors resolved to participate in said compact and authorized the County Administrator to sign said compact on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox that the Code of the County of Appomattox is hereby amended and reordained by the following added section, as follows:

Appomattox County Compact for the enforcement of vehicle decals.

Pursuant to the Appomattox County Motor Vehicle License Tax:

- (a) Any owner or operator of a motor vehicle who is required to display a local motor vehicle license for that vehicle by a participating jurisdiction must display such license at all times which such vehicle is operated or parked in the County of Appomattox.
- (1) Any vehicle exempt in a participating jurisdiction from imposition of the license tax or fee under

Virginia Code Section 46.2-755(A) is exempt from this section.

- (2) Any vehicle normally garaged, stored, or parked in the County of Appomattox which is exempt from imposition of the license tax or fee under any County of Appomattox ordinance is exempt from this section.
- (b) A violation of this ordinance shall constitute a Class 4 misdemeanor.
 - (1) When the operator is the owner of the cited vehicle, such violation shall be discharged by payment of the requisite fine and presentation of satisfactory evidence that the required license has been obtained.
 - (2) When the operator is not the owner of the cited vehicle, a violation may be discharged by payment of the requisite fine.
- (c) This ordinance shall become effective when both participating jurisdictions have adopted ordinances substantially similar hereto.

Mr. Paulette called for comments. Hearing none he next read Article V, Exemption for Elderly and Disabled Persons, as follows:

APPOMATTOX COUNTY CODE

ARTICLE V

Exemption for Elderly and Disabled Persons (Adopted 9-8-1978)

Proposed change:

Section 147-12 Exemption on certain real estate:

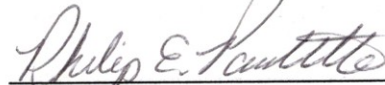
- A.
 - (1) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed **twelve thousand dollars (\$12,000.)** provided that the first **five thousand-five hundred dollars (\$5,500.)** of income of each relative, other than spouse, of the owner or owners who is living in the dwelling shall not be included in such total.
 - (2) The net combined financial worth of the owners and of the spouse of any owners shall not exceed **ninety thousand dollars (\$90,000.)**. The net worth shall include equitable interest and shall be determined on

December 31 of the calendar year immediately preceding the application for exemption.

- (3) The fair market value of the dwelling and the land not exceeding one (1) acre upon which the dwelling is situated, not to exceed **seventy-five thousand dollars (\$75,000.)**, is excluded from the combined financial worth determined in Subsection B.

- C. In lieu of the annual affidavit requirement in paragraph B above, the person claiming said exemption may file the affidavit on a three year cycle with an annual certificate by the taxpayer that no information contained on the last preceding affidavit has changed to violate the limitations and conditions provided herein.

Mr. Paulette called for comments. Hearing none, and being no further business, Mr. Paulette closed the public hearing at 6:40 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on December 18, 1995 at 6:41 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette - Courthouse District
Nina B. Beasley - Falling River District
Russell H. Moore - Piney Mountain District

Absent:

Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Also Present:

Garet K. Bosiger - Supervisor Elect

Mr. Paulette called the recessed meeting to order at 6:41 P.M.

Mr. Paulette notified the other Board members that Mrs. Belter had the funds to transfer into the Capital Improvement Account if the Board so chose.

Mr. Moore made a motion seconded by Mrs. Beasley to have Mrs. Belter, Treasurer, transfer \$150,000.00 into the Capitol Improvement Account. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

Mr. Paulette informed the other Board members that Mrs. Ferguson had contacted VDOT concerning the Eddie Gunter division private road. VDOT stated that the last estimate for construction was done prior to Allen Torrence retiring, which had been several years ago. VDOT also explained this road would be eligible for 50/50 funding.

Mr. Paulette next presented a proposal from Montoro & Associates, P.C. for the Turn Over audit for the Sheriff's Department. The total fee was estimated to be \$1,200.00.

After discussion, Mr. Moore made a motion seconded by Mrs. Beasley to appropriate \$1,200.00 for turn over audit for the Sheriff's Department. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

Mr. Paulette then explained that an executive session was necessary to discuss a personnel and legal matter.

Mr. Moore made a motion seconded by Mrs. Beasley to enter into executive session to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

On a motion by Mrs. Beasley, seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 7:00 p.m. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

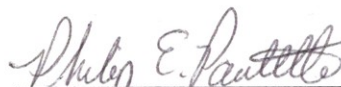
NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

Mr. Paulette asked the pleasure of the Board concerning Lela Mann's raise.

Mrs. Beasley made a motion seconded by Mr. Moore to increase Lela Mann's salary to \$5.50 per hour. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.

Being nothing further, Mrs. Beasley made a motion seconded by Mr. Moore to adjourn until December 28, 1995 at 12:00 in the School Board Conference Room. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; and Mr. Moore, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on December 28, 1995 at 2:00 P.M. in the School Board Conference room, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette - Courthouse District
Nina B. Beasley - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Absent:

Dennis W. Torrence - Appomattox River District

Also Present:

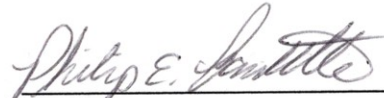
Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order and explained the purpose of the meeting was to choose an insurance carrier for 1996. Mr. Paulette explained three (3) proposals had been received (Cabell Insurance Associates; VACORP; and KOCH Insurance). (Copies on file in December 1995 Board File.)

A lengthy review of the proposals, and discussion on same followed.

After discussion, Mr. Moore made a motion seconded by Mrs. Beasley to accept Cabell Insurance Associates proposal from Cincinnati Insurance for 1996 to be reviewed once a year for three (3) years for possible renewal. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Being no further business, Mrs. Beasley made a motion seconded by Mr. Carwile to adjourn. Vote: Mr. Paulette, aye; Mrs. Beasley, aye; Mr. Carwile, aye; and Mr. Moore, aye.


Chairman

The regular meeting of the Appomattox County Board of Supervisors was held on January 2, 1996 in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Philip E. Paulette - Courthouse District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

This being the Annual Organizational Meeting, the meeting was called to order at 7:00 P.M. by the County Administrator. The invocation was given by Mr. Torrence and nominations for Chairman of the Board were requested. Mr. Carwile nominated Mr. Paulette as Chairman of the Appomattox County Board of Supervisors for 1996. Mr. Torrence seconded the nomination. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye; and Mr. Paulette, abstained.

Mr. Paulette accepted the appointment, and thanked the Board for their confidence.

Mr. Paulette, than asked for nominations for Vice Chairman. Mr. Torrence nominated Mr. Moore for Vice Chairman of the Appomattox County Board of Supervisors for 1996. Mr. Bosiger seconded the nomination. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Torrence, aye; and Mr. Moore, abstained.

Mr. Paulette asked the Board to consider rules of order. By consensus, the Board agreed to continue using Robert's Rules of Order Simplified.

Mr. Paulette next asked the Board to establish meeting time, date and place for 1996.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to meet on the first Monday in each month at 7:00 P.M. in the Courthouse with the Public Hearing for Zoning petitions being held on the third Monday at 7:00 P.M. in the Courthouse. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence stated he would like for the board to increase their travel allowance to \$100.00 per quarter.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to increase travel expense under 1101 to \$100.00 per Supervisor, per quarter, and appropriate the same. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked if any Board member had instructions for the County Administrator.

Mr. Torrence suggested that department heads automatically make quarterly reports to the Board. By consensus, it was agreed that department heads submit quarterly reports to the Board.

Mr. Paulette next called for additions or corrections, to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of December 4, 1995 and December 18, 1995; the regular meeting of December 4, 1995 and the recessed meeting of December 18, 1995. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called for Supervisor concerns.

Mr. Carwile asked about a regular schedule being implemented for carpet cleaning in the County offices, by a private service.

After discussion, no action was taken.

Mr. Carwile next asked the disposition of the Caterpillar bill from a previous meeting.

Mrs. Ferguson explained that Caterpillar had taken care of this bill.

Mr. Torrence asked, on behalf of Pamplin Town Council, how many temporary units would the railroad be allowed to station on the depot property in Pamplin, if the depot was taken down.

Mrs. Ferguson stated she would check into this, but one unit was already approved for this location.

Mr. Paulette stated that he felt the board should purchase and present a plaque to Sheriff Richardson and pass a resolution acknowledging his service to the County.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to purchase a plaque for Sheriff Richardson and adopt the following resolution in recognition of Sheriff Richardson's service:

RESOLUTION HONORING JAMES E. RICHARDSON

WHEREAS, James E. Richardson, Sheriff for Appomattox County since January 1, 1971 has retired effective December 31, 1995; and

WHEREAS, a native of Appomattox County, Gene Richardson graduated from Appomattox High School; and

WHEREAS, Gene Richardson went to work for Appomattox County in 1964 as a Deputy Sheriff; and

WHEREAS, in 1971 Gene Richardson was elected Sheriff for Appomattox County, a position in which he served with dedication for twenty-four years; and

WHEREAS, throughout a long and renowned career in law enforcement, Sheriff Richardson has served the people of Appomattox County, the Town of Appomattox, and the Town of Pamplin with dedication and perseverance.

NOW THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors commend Sheriff James E. Richardson for his many years of service to the citizens of Appomattox County.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented the first item under Administrative Items, committee appointments. Mr. Paulette explained Mrs. Beasley's seat needed to be filled on the Social Services Board.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to appoint Mr. Paulette to the Social Services Board. Vote: Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; Mr. Torrence, aye; and Mr. Paulette, abstained.

Mr. Paulette next presented a request from the Comprehensive Services Board for an appointment from Law Enforcement to fill Captain Morris' position.

Mr. Carwile made a motion seconded by Mr. Bosiger to appoint Investigator Mike Williamson to the Comprehensive Services Board, for a term to expire December 31, 1998. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented appropriation requests.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$648.75 from the Courthouse Maintenance Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented bids on alternate heat for the evacuation center at the Community Center.

After discussion, no action was taken.

Mr. Paulette then directed the Board's attention to a request from the Pamplin Volunteer Fire Department for the generator that is no longer needed for the radio system. After discussion, and by consensus of the Board, it was agreed to see if the County had a use for this generator prior to making a decision on this matter.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$457.53 from the Law Library Fund for January 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next drew attention to a request from the Department of Historic Resources for funding to replace three (3) markers in Appomattox County.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$660.00 to assist with replacing three (3) historic markers located in Appomattox County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked if the other Board members were in favor of having budgets due in the County Administrator's Office by February 1, 1996. By consensus, the Board agreed to require budgets to be in by February 1, 1996.

Mr. Paulette informed the other Board members there was an economic development conference scheduled for January 31st and February 1st in Richmond and asked if anyone wished to attend.

After discussion, and by consensus of the Board it was agreed no one would attend this conference.

Mr. Paulette next asked for a motion for a resolution adopting the Six Year Plan and 1996-97 Secondary Road Construction Budget.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

At the regular meeting of the Appomattox County Board of Supervisors held on Tuesday, January 2, 1996, it was resolved:

WHEREAS, the Board of Supervisors of Appomattox County, and the Virginia Department of Transportation held a public hearing on December 4, 1995, in accordance to Section 33.1-70.01 of the Code of Virginia at which the proposed Six Year Plan for Secondary Road Improvements for 1996-97 thru 2001-2002, was presented by S. B. Lindsay, Resident Engineer for the Virginia Department of Transportation.

WHEREAS, the proposed priority list for the 1996-97 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six Year Plan for 1996-97 thru 2001-2002 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 1996-97 Secondary Road Construction Budget is hereby approved.
Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Mrs. Belter for expenses to be paid for her while attending a legislative Seminar in Richmond.

Mr. Moore made a motion seconded by Mr. Carwile to pay expenses for Mrs. Belter to attend a Legislative Seminar in Richmond. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from VACo that the Board appoint a Legislative Contract for 1996.

After discussion and by consensus of the Board, it was agreed Mr. Paulette would continue in this capacity.

Mr. Paulette next presented a request from the Town of Appomattox to purchase one of the old police cars.

By consensus of the Board, it was agreed that Mr. Lawson should research this for the County.

Mr. Paulette presented the Joint Enforcement of Vehicle Decal Ordinance and the revision to Article V-Exemption of Elderly and Disabled Persons for Adoption.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the following ordinances:

ORDINANCE SECTION 168-19

WHEREAS, Virginia Code Section 46.2-752(K), as amended, allows the governing bodies of any two or more counties, cities, or towns to enter into compacts for the regional enforcement of local motor vehicle license requirements; and

WHEREAS, the County of Appomattox has agreed to enter into a Compact for the Enforcement of Vehicle Decal Ordinances to provide for the enforcement of such local ordinances; and

WHEREAS, by resolution adopted earlier in this meeting, the Board of Supervisors resolved to participate in said compact and authorized the County Administrator to sign said compact on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Appomattox that the Code of the County of Appomattox is hereby amended and reordained by the following added section, as follows:

Appomattox County Compact for the enforcement of vehicle decals.

Pursuant to the Appomattox County Motor Vehicle License Tax:

- (a) Any owner or operator of a motor vehicle who is required to display a local motor vehicle license for that vehicle by a participating jurisdiction must display such license at all times which such vehicle is operated or parked in the County of Appomattox.
 - (1) Any vehicle exempt in a participating jurisdiction from imposition of the license tax or fee under Virginia Code Section 46.2-755(A) is exempt from this section.
 - (2) Any vehicle normally garaged, stored, or parked in the County of Appomattox which is exempt from imposition of the license tax or fee under any County of Appomattox ordinance is exempt from this section.
- (b) A violation of this ordinance shall constitute a Class 4 misdemeanor.

- (1) When the operator is the owner of the cited vehicle, such violation shall be discharged by payment of the requisite fine and presentation of satisfactory evidence that the required license has been obtained.
- (2) When the operator is not the owner of the cited vehicle, a violation may be discharged by payment of the requisite fine.
- (c) This ordinance shall become effective when both participating jurisdictions have adopted ordinances substantially similar hereto.

and:

APPOMATTOX COUNTY CODE

ARTICLE V

Exemption for Elderly and Disabled Persons

(Adopted 9-8-1978)

(Amended 1-2-1996)

Section 147-12 Exemption on certain real estate:

A.

- (1) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed **twelve thousand dollars (\$12,000.)** provided that the first five thousand-five hundred dollars (\$5,500.) of income of each relative, other than spouse, of the owner or owners who is living in the dwelling shall not be included in such total.
- (2) The net combined financial worth of the owners and of the spouse of any owners shall not exceed **ninety thousand dollars (\$90,000.)**. The net worth shall include equitable interest and shall be determined on December 31 of the calendar year immediately preceding the application for exemption.
- (3) The fair market value of the dwelling and the land not exceeding one (1) acre upon which the dwelling is situated, not to exceed **seventy-five thousand dollars (\$75,000.)**, is excluded from the combined financial worth determined in Subsection B.

- C. In lieu of the annual affidavit requirement in paragraph B above, the person claiming said exemption may file the affidavit on a three year cycle with an annual certificate by the taxpayer that no information contained on the last preceding affidavit has changed to violate the limitations

and conditions provided herein.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mr. Carwile brought the Board's attention to the information item concerning Code of Virginia, Section 33.1-41.1. Mr. Carwile stated he felt certain this section does apply to secondary road systems.

Mrs. Ferguson was instructed to research this item further.

Mr. Paulette then moved on to Additional Items for Consideration.

Mr. Paulette presented a request from the Elementary School PTO for a fence between the Advance Auto and the Elementary School.

A lengthy discussion followed. After discussion, Mrs. Ferguson was instructed to contact the PTO to see what type fence would be satisfactory, get bids, and then have Mr. Lawson write a letter to Mr. Wright requesting he construct this fence.

Mr. Paulette then presented a request for an appropriation from the Pamplin Volunteer Fire Department of \$80,469.73. This amount includes \$79,469.73 reimbursement from the insurance and \$1,000.00 deductible.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$80,649.73 to the Pamplin Volunteer Fire Department for repairs to fire truck. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented an appropriation request from the Recreation Committee for \$3,085.00 to pour concrete pad under bleachers at the ballpark.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$3,085.00 from the Ball Park Fund for the month of January 1996 to pour concrete pads under bleachers. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the School Board for a \$4,015.98 appropriation from the Athletic Fund.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$4,015.98 from the Athletic Complex Fund for the month of January, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next informed the Board that Clarke County was again requesting a resolution on State Aid for Public Schools.

After discussion, no action was taken.

Mr. Carwile asked the status of the two (2) parcels being considered for disposition. Mrs. Ferguson explained a date for public hearing needed to be set.

After discussion, and by consensus, it was agreed to set a public hearing for February 5, 1996 at 6:30 P.M. in the Courthouse.

Mr. Torrence asked the Board if they had a problem with a group in Pamplin using the old Brandy Ann Factory building for a Child Care Center.

Discussion followed with no specific action being taken.

Mr. Carwile asked if Pamplin Town Council had suggested an appointment for the Community Center Board of Directors.

Mrs. Ferguson explained she had not received one as of this date.

Being no further administrative items, Mr. Paulette explained that an executive session was necessary to discuss legal and personnel matters.

Mr. Moore made a motion seconded by Mr. Bosiger to enter into executive session at 8:45 P.M. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile, seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 9:45 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

On a motion by Mr. Carwile, seconded by Mr. Moore the following resolution was adopted:

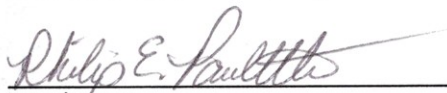
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence.

Being no further business, Mr. Torrence made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on February 5, 1996 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. (Gus) Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the public hearing to order at 6:37 P.M., stated the purpose of the hearing was to receive public comments on the disposal of two (2) parcels of County property and gave the procedure for addressing the Board.

Mr. Paulette then read the description of the first parcel as follows:

"All of that certain tract or parcel of real estate lying and being in the Town of Appomattox, Southside Magisterial District, Appomattox County, Virginia, containing .016 acre and more particularly shown and described on a plat of survey made by William W. Dickerson, Jr., L.S., dated December 28, 1995. Being a portion of the same identical real estate conveyed to the School Board of Appomattox County by deed recovered in the Appomattox County Circuit Court Clerk's Office in Deed Book 10, at page 215."

Mr. Paulette asked if anyone wished to comment on this parcel.

Mr. James Nolen came forward and gave his address as Appomattox, Virginia. Mr. Nolen continued by explaining that he and his daughter had purchased the house adjoining this property. Mr. Nolen explained this parcel containing .016 acre was of no use to the County due to it's size, and he would like to purchase this property to include in his lot.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette read the next description as follows:

"All that certain tract or parcel of real estate located

in Stonewall Magisterial District of Appomattox County, Virginia, containing one (1) acre, on the North side of State Route 615, 6/10 of a mile East of the intersection of State Route 615 and State Route 616 as shown by dotted lines on a certain plat dated October 7, 1992 made by William W. Dickerson, Jr., L.S., recorded in the Appomattox County Circuit Court Clerk's Office in Deed Book 119, at page 738, and further shown on plat dated March 3, 1955 made by W. W. Scott, C.L.S. and recorded in the Appomattox County Circuit Clerk's Office in Deed Book 80, at page 466."

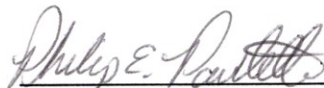
Mr. Paulette called for comments on this parcel.

Mrs. Arabella McCoy came forward and gave her address as Route 2, Gladstone, Virginia. Mrs. McCoy explained that she had a deed to this property and her daughter also had a deed to this property.

Mr. Paulette asked for other comments.

Mr. Ed McCoy came forward, introduced his daughter, Wanda, and gave his address as Gladstone. Mr. McCoy continued that he had been trying to get clear title to this property for over four months so that he could place a mobile home on this property. He stated that he has been paying taxes on this property since 1992. Mr. McCoy stated he would appreciate the Board deeding this property to him.

Mr. Paulette called for other comments. Hearing none, and being no further business, Mr. Paulette declared the public hearing closed at 6:45 P.M.



Chairman

The regular meeting of the Appomattox County Board of Supervisors was held on February 5, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and gave the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Moore to approve the minutes of the recessed meeting of December 28, 1995; and the Organizational Meeting of January 2, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next informed the other Board members that Dr. Harris, Lisa O'Brien and Kitty Farris would not be appearing at the February meeting but would meet with the Board in March, 1996.

Mr. Paulette then asked the other members of the Board if they wished to take any action from the public hearing that was held at 6:30 P.M. just prior to the Board meeting.

Mr. Carwile made a motion seconded by Mr. Torrence to transfer the parcel of property located on Route 460 containing .016 acres to James A. Nolen and Ann Paige Nolen with the understanding he will comply with School Board request not to block site distance; also transfer the parcel located on Route 615 to Arrabelle McCoy with no money being exchanged. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called on Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation to appear before the Board.

Ms. Lindsay began by saying the speed limit signs on Route 24, at Vera, had been installed. Ms. Lindsay continued that the traffic engineer had made a suggestion concerning the entrance to the "Super Site". Ms. Lindsay stated she would check into this and get back with the Board.

Ms. Lindsay stated the only other business she had was the Revenue Sharing grant application. Ms. Lindsay explained this grant required matching funds and if the Board wished to apply, the deadline was March 22, 1996. Ms. Lindsay continued with a brief explanation of how the Revenue Sharing funds could be used.

Mr. Paulette thanked and excused Ms. Lindsay and called for Supervisor Concerns.

Mr. Moore explained that a citizen had questioned the cost of a concealed weapons permit in Appomattox County being \$50.00, when other localities were charging from \$10.00 to \$25.00.

Mrs. Ferguson explained that \$50.00 was the maximum the Code of Virginia would allow to be charged and the Circuit Court Judge sets the fee.

Mr. Carwile addressed the other members of the Board and stated that with the budget process beginning he would like to request that each one be conscientious to search for "waste in the stream".

Mr. Carwile continued that considering rabies and how rapidly it spreads he would like to see the County have more control over dogs. Mr. Carwile stated that he felt from a humane angle just to allow animals to continue to breed for their litter just to be picked up by Animal Control to be fed and then killed at the expense of the County was not the way. Mr. Carwile stated he felt there should be a better way to handle this problem. He suggested that possibly a break in license fees be given if an owner would spade or neuter their pets. Mr. Carwile also stated that he felt kennel tags did not help with the rabies, since a kennel tag covered numerous dogs not one specific dog. Mr. Carwile requested the other Board members give these things some thought and that the County Administrator check to see what other localities do about this problem.

Mr. Torrence asked if the County Administrator could check with Mr. Mays to see what revenue would be generated if the tax rate on the new assessed values was \$.50, \$.51, \$.52, etc.

Mr. Torrence also asked if the Board of Equalization was in place.

Mrs. Ferguson explained they all had been appointed and would be sworn in and receive their training from the State, as soon as possible.

Mr. Paulette reminded the other Board members of the VACo/VML Legislative day on February 15, 1996 and if anyone wished to attend to let Mrs. Ferguson know.

Mr. Paulette mentioned the G.T.E. issue listed under information items, and stated he had been approached by a citizen requesting the Board support the proposed changes due to internet access among other services.

Mr. Paulette stated he felt the Board should make a positive statement to the S.C.C. on this new proposal.

A lengthy discussion followed.

Mr. Torrence requested that Mrs. Ferguson obtain information sheets from G.T.E. on the 933 and 248 exchanges.

Mr. Paulette recognized Mr. Bruce Cowen and Mr. Cowen requested the Board pass a resolution supporting G.T.E.'s new proposed calling area.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION

WHEREAS, the Appomattox County Board of Supervisors has reviewed the information provided by GTE in January, 1996; and

WHEREAS, the Appomattox County Board of Supervisors acknowledges a responsibility to the citizens of the County to help control costs imposed upon them; and

WHEREAS, the Appomattox County Board of Supervisors has reviewed the revised rate schedule proposed for GTE customers; and

WHEREAS, the Appomattox County Board of Supervisors feels the revised rate schedule is acceptable, if GTE returns to the original proposed local calling areas for 352, 248, and 933 exchanges;

NOW, THEREFORE, the Appomattox County Board of Supervisors does hereby endorse the proposed rate increase as documented by case number PUC950019 with the above stipulations.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then moved on to the "Administrative Items". The first Administrative Item was a request from Region 2000 for a resolution of support for two budget amendments for economic development funds.

Mr. Paulette explained what these funds would be used for in the region.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION

VIRGINIA'S REGION 2000

ECONOMIC DEVELOPMENT ACTION PLAN

WHEREAS, Virginia's Region 2000 is dedicated to taking those steps necessary to insure our area's future economic vitality; and

WHEREAS, The Region 2000 program has been cited by Governor George Allen as a "prime example of how local leaders can define their own destiny" and "a model we want to use to show other groups in Virginia and say here's how to do it"; and

WHEREAS, in response to the Opportunity Virginia strategic plan initiatives, Region 2000 has developed an action plan to insure that our communities stay on the cutting edge of the economic development arena; and

WHEREAS, that plan outlines programming that will not only benefit Region 2000 but will serve as examples and pilot projects that can be replicated in other parts of the state; and

THEREFORE BE IT RESOLVED, THAT the Appomattox County Board of Supervisors asks and encourages the General Assembly and Governor Allen to support Virginia Region 2000's action plan for economic development.

BE IT FURTHER RESOLVED, THAT the Appomattox County Board of Supervisors endorses the two elements of that plan, \$2.5 million for a revolving loan fund that will create a much needed additional, self-replenishing source of funding for infrastructure improvements and construction of shell buildings and \$1 million to help establish an industrial/technology training facility and program. This program will create an ongoing entity to address current and projected employment training and development needs as well as help determine the skills our educational resources need to teach to make our current and future work forces ready for the jobs of the future.

BE IT FURTHER RESOLVED, THAT in asking for support of these projects and the \$3.5 in funding required, the Appomattox County Board of Supervisors emphasizes its commitment to regional economic development initiatives and, its firm belief, that these programs will serve as key models for the rest of Virginia, helping to insure that the Commonwealth enters the twenty-first century with a vibrant and growing economy.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Town of Appomattox for a resolution of support for a Community Development Block Grant to extend water and sewer facilities into designated areas of the Town of Appomattox. Mr. Paulette continued by stating the Town had requested the permit fees be waived thereby allowing this grant to qualify for a joint grant between the Town and County.

Mr. Moore made a motion seconded by Mr. Torrence to waive the permit fees for the Town of Appomattox on the water and sewer line extension and to adopt the following resolution:

**RESOLUTION OF SUPPORT
COMMUNITY DEVELOPMENT BLOCK GRANT
TOWN OF APPOMATTOX**

WHEREAS, there has been a long standing need for water and sewer facilities to be extended to certain areas in the Town of Appomattox, and;

WHEREAS, being a small locality, the Town of Appomattox has not had sufficient funding from local sources to undertake this project; and

WHEREAS, not only will the extension of these lines solve the water and sewer problems for the citizens in these areas, it will also make several industrial or business sites more attractive to prospects; and

WHEREAS, there are Community Development Block Grant funds available to localities to help with the cost of projects of this nature;

NOW THEREFORE BE IT RESOLVED, the Appomattox County Board of Supervisors at it's meeting on February 5, 1996, strongly supports this grant application.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that it was necessary for the Board to make several Board and Committee appointments.

Mr. Carwile made a motion seconded by Mr. Bosiger to appoint Mr. Moore to serve on the Architect Selection Committee for the Appomattox Elementary School project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appoint Mr. Moore to serve on the Central Virginia Community Services Board for a term to expire December 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Solid Waste Administrator that his due to the Solid Waste Association of North America be paid from convention and education under the Board.

Mr. Torrence made a motion seconded by Mr. Bosiger to pay dues of \$105.00 to The Solid Waste Association of North America from convention and education in department 1101. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented appropriation request from Social Services Department, School Board, Landfill, Courthouse Maintenance and Law Library Fund.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve a supplemental appropriation in the amount of \$20,000.00, \$2,000.00 of which is local match, to Social Services for Child Care. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Martin, Social Services Director had also requested an appropriation to purchase a new vehicle.

After discussion and by consensus, the Board of Supervisors suggested the new vehicle be included in the FY97 Social Services Budget.

Mr. Torrence made a motion seconded by Mr. Carwile to approve a supplemental appropriation in the amount of \$1,000.00 to the School Board due to additional funding from the State. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to approve a supplemental appropriation of \$6,813.00 to the Litter Grant due to additional State funding. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$90.60 from Courthouse Maintenance for the month of February 1996. Vote: Mr.

Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$426.33 from the Law Library Fund for the month of February 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$300.00 as a supplemental appropriation to 4302 to purchase a utility trailer. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette reminded the other members of the Board to remember repairs, that were needed to County property, during the budget process.

Mr. Paulette next asked the Board what they wished to do with the vacant "Old Library" building.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to offer the use of the "Old Library" to the School Board for whatever purpose they see fit. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next brought the Board's attention to a request from Pamplin Volunteer Fire Department for the generator that had been used at the radio tower.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to donate the generator to the Pamplin Volunteer Fire Department for their use, if it can be repaired; if it cannot be repaired Pamplin Volunteer Fire Department would return the generator to the County Sheriff's Department to be used for parts. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked Mr. Lawson, County Attorney, to report on the Route 608, Stonewall Precinct, exchange of easement.

Mr. Lawson explained that he had drafted a deed exchanging two easements, which the County owns, for a 30' easement (along the existing roadway) from County owned property to Route 608.

Mr. Lawson stated if the Board approved the deed tonight, he could forward to the Martin's and Thompson's for signature.

Mr. Carwile made a motion seconded by Mr. Bosiger to accept the deed as prepared by Mr. Lawson, County Attorney, exchanging easements with the Martin's and Thompson's at the Stonewall Voting Precinct Property, located on State Route 608. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette stated the Board would need to meet after the Public Hearing on February 20, 1996 to review the FY97 budget request and revenue estimate.

Mr. Paulette next asked Mr. Bob Bradner, Director, 10th District Court Services Unit, to come before the Board to explain the proposed Juvenile Detention Agreement between the City of Lynchburg and other localities.

Mr. Bradner went over the need for juvenile detention in Appomattox and explained, at the present time, Appomattox did not have guaranteed bedspace anywhere. Mr. Bradner continued by reviewing items in the proposed agreement and stating this agreement would solve Appomattox' juvenile detention needs for twenty years, according to the needs assessment.

A lengthy discussion followed.

After discussion, and by consensus of the Board, the County Administrator was instructed to have the resolution for participation ready for the Board to consider after the February 20, 1996 public hearing.

Mr. Paulette then thanked and excused Mr. Bradner.

Mr. Paulette presented the next item on the agenda, the fence requested by the PTO, between the Elementary School and Advance Auto.

After reviewing the two (2) bids received, (bids on file in February 1996 Board file) the Board excepted low bid from Fence Specialists and requested Mr. Lawson, County Attorney, write a letter to Mr. Wright requesting he have this fence installed at his expense.

Mr. Paulette directed the Board's attention to "Additional Items".

The first item was a real estate tax exemption request from Pamplin Pipe Factory.

The Board of Supervisors reviewed the information provided by Mr. Dickerson and by consensus set a public hearing date of March 4, 1996 at 6:30 P.M.

Mr. Paulette next presented appropriation request from the County Administrator, Sheriff's Department and Maintenance Department.

Mr. Torrence made a motion seconded by Mr. Moore to approve a supplemental appropriation of \$160.00 to pay refund of taxes billed in error. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a supplemental appropriation of \$1,000.00 to the Sheriff's Department to use for drug buy money. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Maintenance Supervisor for funds to purchase a snow blower and a trailer to use behind the lawn mower.

After discussion, and by consensus of the Board, it was agreed to have Mr. Martin include these items in his FY97 budget request.

Discussion continued, that a four (4) wheel drive vehicle with blade was necessary in order to keep container sites cleared after snow storms.

Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session at 9:50 P.M. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 11:10 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if anyone wished to take action on the executive session matters.

Mr. Torrence made a motion seconded by Mr. Bosiger to take Mr. Donald Martin off probation and increase his salary by 5% effective February 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson was instructed to write Emanuel Tire and explain they must pay according to the original agreement.

Mr. Carwile made a motion seconded by Mr. Bosiger to terminate Richard Mayberry effective immediately. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, nay.

Mrs. Ferguson was instructed to advertise immediately for Mr. Mayberry's replacement.

After discussion on the necessity of the County owning a four (4) wheel drive vehicle, Mr. Torrence made a motion seconded by Mr. Moore to purchase a four (4) wheel drive, 3/4 ton pick-up, heavy duty suspension, straight shift with gasoline engine. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Carwile to recess until February 20, 1996 after the public hearing. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on February 20, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Russell H. Moore, Vice-Chairman - Piney Mountain District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District

Present (Planning Commission):

Al Sears
Wayne Lewis
Claude Allen Moore
Robert Seftor
Russell Moore
Calvin Tanner
Robert Johnson

Absent (Planning Commission):

R. W. Mitchell
Charles Smith
Elizabeth Edwards

Present (Board of Zoning Appeals):

Matt Lair
Cliff Harvey
James Cheatham

Absent (Board of Zoning Appeals):

Bruce Drinkard
Elizabeth Edwards

Also Present:

Aileen T. Ferguson, County Administrator
Bill Caldwell, Clerk - Planning Commission

Mr. Moore called the meeting to order at 7:00 P.M. stated the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments to the Board.

Mr. Moore then asked Mr. Caldwell, Clerk to the Planning Commission to read petition number 96-278.

Mr. Caldwell read petition number 96-278 of Steven T. Conner to rezone property from A-1 to R-1. Property is part of Tax Map #76-A-29 and is located on Route 642 between Route 727 and Dead End.

Mr. Moore called for comments for or against this petition.

Mr. Carroll Goodrich stood, gave his address as Appomattox, VA and stated he had some questions concerning what the terms A-1 and R-1 meant.

Mr. Moore explained if Mr. Goodrich had questions, he should come to the Planning Commission meeting to have these questions answered.

Mr. Steve Conner spoke then and stated he was actually improving this area.

Mr. Moore called for other comments, hearing none he asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 96-279 of Dennis W. Torrence for a Variance to paragraph 170-80A of Appomattox County Zoning Ordinance pertaining to side yards setbacks for accessory buildings. Property is zoned A-1 and is located on Route 627 between Route 631 and Route 616.

Mr. Moore called for comments.

Mr. Dennis Torrence came forward and gave his address as Route 2, Box 506, Appomattox, VA.

Mr. Torrence continued by saying he had sold one acre to a family member and could not get the proper distance from two accessory buildings to the property lines. Mr. Torrence stated if his request were not approved, he would have to demolish one of the accessory buildings. Mr. Torrence explained that both buildings were constructed prior to zoning being adopted.

Mr. Moore called for other comments. Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

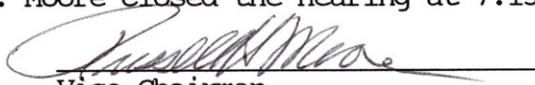
Mr. Caldwell read petition number 96-280 of Steven Selvinski for a Conditional Use Permit to allow two (2) off premise signs to be located on Parcel Tax Map #62-A-26 located on Route 460 between Route 647 and Route 703. Property is zoned B-1.

Mr. Moore called for comments concerning this petition.

Mr. Stephen Slevinski came forward and stated his address as P. O. Box 892, Appomattox, VA. Mr. Slevinski stated he was interested in placing two signs on this property to promote downtown Appomattox. Mr. Slevinski continued by saying he owned and operated a small store in the old bank building downtown. Mr. Slevinski continued by stating he felt these signs would be helpful in drawing business downtown and as that his request be approved.

Mr. Moore asked if anyone else wished to comment on this petition.

Hearing no further comments, Mr. Moore closed the hearing at 7:15 P.M.


Vice-Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held following the public hearing on February 20, 1996, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore, Vice-Chairman - Piney Mountain District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent:

Philip E. Paulette, Chairman - Courthouse District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Moore called the recessed meeting to order and asked Mrs. Ferguson to go over the items to be discussed.

Mrs. Ferguson stated the first item was a request from the Electoral Board concerning a person to replace Mr. Claude Moore who presently sets the voting machines for elections. Mrs. Ferguson asked the Board if Mr. Fred Underwood, member of the Electoral Board, could join the Board to answer questions.

Mr. Moore invited Mr. Underwood to come forward and join the Board at the table.

Mrs. Ferguson explained that two (2) names had been submitted, one of which should be chosen by the Board of Supervisors to be the Primary person to service the voting machines, with Donald Martin, Maintenance Supervisor for the County, as back-up for this persons. Mrs. Ferguson stated the two (2) persons willing to do this work were Jack Foresman and Donald Ferguson.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile that Mr. Ferguson be offered this work at \$250.00 per County wide election, if he would not accept at this rate, then the job would be offered to Mr. Foresman. Vote: Mr. Moore, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mrs. Ferguson presented the next request from Electoral Board for telephones at each voting precinct.

Mr. Underwood provided a handout with different options for providing telephone service at these precincts.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile, the Electoral Board of was instructed to pursue the possibility of the regular use of loaner phones from Sprint or United States Cellular, with the use of the Board of Supervisors personal cellular phones if necessary. Vote: Mr. Moore, aye; Mr. Bosiger, aye; Mr. Carwile, aye; And Mr. Torrence, aye.

Mrs. Ferguson next presented the resolution with the City of Lynchburg for juvenile detention. Mrs. Ferguson continued by presenting information as to what other localities had done as of this date.

Discussion followed as to the pros and cons of participating, with other localities, in a juvenile detention agreement with the City of Lynchburg.

After discussion, Mr. Bosiger made a motion seconded by Mr. Carwile to table the juvenile detention agreement and not make any obligations to anyone at this time. Vote: Mr. Moore, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mrs. Ferguson presented a request from Brian Wishneff & Associates for additional funding in order to hire Bond Council to deliver a report on possible sources of funding.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate up to \$1,000.00 for Mr. Wishneff to seek assistance from bond council. Vote: Mr. Moore, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented budget and revenue estimates for FY97 to the Board along with a proposed calendar for budget work sessions.

Discussion followed concerning the proposed budget, revenue estimates, and tax rates.

Being no further business, Mr. Carwile made a motion seconded by Mr. Bosiger to adjourn.


Vice-Chairman

A special called meeting of the Appomattox County Board of Supervisors was held on February 26, 1996 at 5:00 p.m. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the special meeting to order and stated the purpose of the meeting was to set public hearing date for comments on proposed tax rate and to set percentage increase for budget.

Mr. Paulette then presented information to each Board member as to the proper format for publishing the proposed real estate tax rate.

Discussion followed concerning the proposed FY97 budget and information was reviewed on the proposed tax rate.

After discussion, the following notice was approved for advertising:

NOTICE OF PROPOSED REAL PROPERTY TAX INCREASE

The County of Appomattox proposes to increase property tax levies.

1. Assessment Increase: Total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 43 percent.
2. Lowered Rate Necessary to Offset Increased Assessment: The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$0.49 per \$100 of assessed value. This rate will be known as the "lowered tax rate".

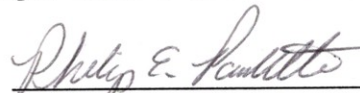
3. Effective Rate Increase: The County of Appomattox proposes to adopt a tax rate of \$0.55 per \$100 of assessed value. The difference between the lowered tax rate and the proposed tax rate would be \$.06 per \$100, or 13 percent. This difference will be known as the "effective tax rate increase".

Individual property taxes may, however, increase at a percentage greater than or less than the above percentages.

4. Proposed Total Budget Increase: Based on the proposed real property tax rate and changes in other revenues, the total budget of Appomattox County will exceed last year's by 3 percent.

A Public Hearing on the increase will be held on March 11, 1996 at 7:00 P.M. at the Appomattox County Courthouse, Court Street, Appomattox, VA.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on March 4, 1996 at 6:30 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the public hearing to order at 6:30 p.m. explained the purpose of the public hearing was to receive comments on a request by Raymond C. and Nancy M. Dickerson for real estate tax exemption for the Pamplin Pipe Factory. Mr. Paulette then stated the procedure for addressing the Board and called for comments.

Mr. Raymond Dickerson came forward and gave his address as Pamplin, Virginia. Mr. Dickerson stated that he had started this process in 1978. He continued by saying he had operated the museum for 14 years at no charge to the public.

Mr. Dickerson explained the museum was closed now due to the unavailability of liability and fire insurance coverage. Mr. Dickerson then stated the museum was recognized on a State and National level as a historic site. Mr. Dickerson asked the Board to please give serious consideration to his request.

Mr. Paulette called for other comments.

Mr. Torrence stated he had recently toured the Pamplin Pipe Factory and felt it was a good museum. He continued that he felt the museum met all the criteria for exemption and that he would like for the Board to grant Mr. Dickerson's request.

Mr. Carwile asked if there were any plans to reopen the museum.

Mr. Dickerson stated there were no plans to reopen due to the liability involved.

Being no further comments, Mr. Paulette closed the public hearing at 6:43 P.M.


Chairman

The regular meeting of the Appomattox County Board of Supervisors was held on March 4, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and asked Mr. Moore to give the invocation.

Mr. Paulette called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Moore to approve the minutes of the public hearings of February 5, 1996 and February 20, 1996; the regular meeting of February 5, 1996; and the recessed meeting of February 20, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mr. Paulette called Mr. Don Austin, Assistant Resident Engineer, Virginia Department of Transportation, to come forward.

Mr. Austin began by stating he did not have anything particular to report to the Board and asked if any Board member had questions for him.

Mr. Carwile asked if anything had been decided on the entrance at New Jerusalem Church located on Route 460 at Evergreen.

Mr. Austin stated the problem that exists is that the crossover does not line up with the church's commercial entrance. Mr. Austin stated that several options had been considered and that Virginia Department of Transportation was presently continuing to work with the church on this problem.

Mr. Torrence asked about recommendations for the entrance to the dumpster site at Vera.

Mr. Austin stated he was not aware of this problem but he would check with Ms. Lindsay concerning this matter.

Mr. Bosiger asked if Mr. Austin was aware of the problems with the roadway deteriorating on Route 649.

Mr. Austin stated the severe weather had contributed to service problems throughout the area. He also stated they were working on repairs at Route 649 now.

Being nothing further for Mr. Austin he was excused and Mr. Paulette called for Supervisor Concerns.

Mr. Torrence invited Mr. Lloyd Bryant and Mrs. Maggie Whorley to join the Board. Mr. Torrence explained that they had been reviewing the Super Site at Vera and had some recommendations to present to the Board for approval. Mr. Torrence continued by saying they feel the entrance to the site closest to the old service station should be closed. He also wanted to plant a row of white pines in front of the site and down the sides and also construct a board fence in the front. Mr. Torrence then asked if the Board has objections to him meeting with Charlie on this matter.

Mr. Bryant stated this would be done at no cost to the County.

Mr. Torrence asked if anyone would object to them getting with Charlie and coming back with a final plan for Board approval.

By consensus of the Board, it was agreed for Mr. Torrence to come back with a final plan for the Vera container site.

Mr. Bryant also explained that behind the voting precinct needed to be reseeded and that the community would see to keeping it mowed.

Mr. Paulette thanked and excused Mr. Bryant and Mrs. Whorley and called for other Supervisor concerns.

Mr. Carwile asked if Mrs. Ferguson could contact Mrs. Robinson as to the status of their request for the private road in the Stonewall area.

Mr. Carwile next asked for funds to construct a recessed cabinet at the Community Center with a glass front to house plaques. He stated the size should be 42" wide and 36" tall, trimmed as a window.

Mr. Carwile also asked if the Board's accomplishments could be published in the paper, in order to keep the citizens informed.

Mr. Carwile then presented the Board with the rate schedule for Lynchburg's sewage treatment plant. Mr. Carwile continued that he felt provisions could be made at the landfill to handle this sewage and the County could profit by this decision.

Mr. Carwile next stated he felt there was a better way to handle dogs. Mr. Carwile continued he was concerned with the spread of rabies. Mr. Carwile stated that license fees could be as much as \$10.00 and this fee could be waived as an incentive if pet owners would spade or neuter their dogs. Mr. Carwile asked that the Board continue to think about this problem.

Mr. Carwile then asked the other Board members for action on the Community Center request.

Mr. Torrence made a motion seconded by Mr. Bosiger to authorize a recessed cabinet to be installed at the Community Center at a cost not to exceed \$100.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for other supervisor concerns, hearing none, he called Dr. JoAnna Harris to appear before the Board.

Dr. Harris provided each Board member with the Appomattox County Health Departments Annual Report and introduced her staff. Dr. Harris then presented a detailed review of the annual report for 1995 with each member of her staff explaining their particular area of expertise.

In closing, Dr. Harris stated that the Health Department was in need of additional space and if the Board were to purchase a building, the State would amortize the cost of their portion of the building over a twenty (20) year period.

Mr. Paulette thanked Dr. Harris and her staff and called Mr. & Mrs. Roger O'Brien to appear before the Board.

Mrs. O'Brien stated that her reason for appearing before the Board was to discuss the landfill user fee. Mrs. O'Brien continued by saying she did not feel that the method of obtaining the names for this list was fair and she felt people were not paying that should be. Mrs. O'Brien also stated that for a business the size of hers she could not continue to pay all the fees related to large businesses.

Mrs. O'Brien next noted that the concealed weapons permit fee for Appomattox was \$50.00 and the same permit in Amherst County cost \$10.00. Mrs. O'Brien stated she could not understand why there was such a large difference in the fees.

Mr. Moore explained the judge sets this fee, not the Board of Supervisors.

After discussion, Mr. Paulette thanked and excused Mr. & Mrs. O'Brien.

Mr. Paulette next called James E. and Carolyn Richardson to join the Board. Mr. Paulette stated that the Board of Supervisors wished to express their appreciation to retired Sheriff James E. Richardson for his years of service to Appomattox County. Mr. Paulette presented Sheriff Richardson with a plaque and a resolution acknowledging his service to the citizens of Appomattox.

Sheriff Richardson thanked the Board and stated he appreciated being recognized in this manner.

Mr. Paulette explained that an executive session was necessary to discuss a legal and personnel matter.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 8:40 p.m. to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session at 9:05 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented the first administration item request for real estate tax exemption by Mr. & Mrs. Raymond Dickerson for Pamplin Pipe Factory.

Mr. Torrence made a motion seconded by Mr. Bosiger to adopt a resolution supporting a real estate tax exemption for the Pamplin Pipe Factory.

Discussion followed.

After discussion, Mr. Torrence withdrew his motion and Mrs. Ferguson was instructed to gather more information on this request.

Mr. Paulette next presented Planning Commission recommendations from the February 20, 1996 public hearing.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition number 96-278 of Steven T. Conner to rezone property from A-1 to R-1. Property is part of Tax Map #76-A-29 and is located on Route 642 between Route 727 and Dead End. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition number 96-280 of Stephen Slevinski for a Conditional Use Permit to allow two (2) off premise signs be located on Parcel Tax Map #62-A-26 located on Route 460 between Route 647 and Route 703. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence aye.

Mr. Paulette presented requests from Stonewall Antique Power Association and Stonewall Vineyards for Musical and Entertainment Permits.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve permit for Stonewall Antique Power Association for May 18 and 19, 1996 and Stonewall Vineyards for May 11, 1996 and waive bond. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from American Legion Post #104 for use of the Courtland field to hold a circus on May 20, 1996.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence that American Legion Post #104 be allowed the use of the Courtland field on May 20, 1996 to hold a circus, with the understanding that a Certificate of Insurance be provided. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Pittsylvania County for a resolution on the distribution of lottery proceeds.

Mr. Carwile made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION

VIRGINIA, At the regular meeting of the Appomattox County Board of Supervisors on Monday, March 4, 1996, in the Courtroom of the Courthouse in Appomattox, Virginia, the following resolution on the

Proposed Distribution of Lottery Revenues for Public Education for the Governor's Proposed 1996-1998 Budget was presented and adopted.

WHEREAS, the Governor of the Commonwealth of Virginia has proposed to return \$15 million dollars in lottery profits in FY 1998; to local school divisions; and,

WHEREAS, the Appomattox County Board of Supervisors commends the Governor for his action that will provide \$41,350 in Lottery Revenues for FY 1998; and,

WHEREAS, Appomattox County, as well as other local governments are facing major increases in local costs to fund public education to meet education initiatives such as class-size reduction, teacher compensation, school safety, class-room computers and networking technology, and school construction; and,

WHEREAS, the Governor has indicated that this was part of a multi-year plan, there is no specific proposal that identified future years funding; and,

WHEREAS, the Commonwealth of Virginia has collected in excess of \$1.8 Billion in lottery gross profits since it's inception; and,

WHEREAS, Appomattox County generated lottery profits have contributed \$2,416,334 Dollars to the Commonwealth's lottery gross profit for fiscal year 94-95; now,

BE IT HEREBY RESOLVED, by the Board of Supervisors of the County of Appomattox that a permanent lottery distribution formula be hereby established by the Commonwealth of Virginia, and that formula take into consideration the return of lottery profits to the localities from which that profit was generated; and,

BE IT FURTHER RESOLVED, that these lottery profits being returned to the locality be based on a percentage of no less than fifty (50) percent of the lottery profits generated in that locality.
Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a lease agreement from Central Virginia Area Agency on Aging and also the contract for services with the Appomattox Health Department.

Mr. Carwile made a motion seconded by Mr. Bosiger to sign the lease agreement with Central Virginia Area Agency on Aging for October 15, 1995 through September 30, 1996; and FY95-96 contract with the Department of Health for Appomattox Health Department. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented the resolution for the Juvenile Detention Agreement with the City of Lynchburg and explained this item would be continued until a later date. Mr. Paulette explained the nature of the

agreement had been changed and we were waiting to receive a copy of the proposed changes.

Mr. Paulette presented several requests for convention/education expenses to be paid by the Board of Supervisors.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve to pay expenses for Thomas W. Lawson to attend the Commonwealth Attorney's Convention. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented bids for emergency heat at the evacuation shelter at the Community Center.

After review and discussion, Mr. Carwile made a motion seconded by Mr. Moore to purchase three (3) 26,000 BTU/HR Infra-red construction type heaters and six (6) 20-lb propane cylinders at a cost of \$596.55. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented appropriation request for the I-66 Project, Inc., Electoral Board and Registrar, landfill, Treasurer, Sheriff's Department, Law Library and Asset Forfeiture Account.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to approve a supplemental appropriation to the Electoral Board and Registrar's budget in the amount of \$9,465.00 for the Republican Primary. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$477.33 to install two lights at the Route 622 "Super Site". Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a supplemental appropriation in the amount of \$607.00 to pay an I.B.M. bill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$151.50 to the Sheriff's budget to replace funds paid by inmate for broken glass. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$239.70 from the Law Library Fund for the month of March 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$294.16 from the Asset Forfeiture Account for Mr. Lawson. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a line item transfer request to move funds from Board of Assessors to the Board of Equalization.

Mr. Moore made a motion seconded by Mr. Bosiger to approve a line item transfer of \$3,283.00 from 1210 to 1211. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

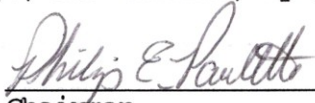
Mr. Paulette explained the deadline for applications for Maintenance Assistant has passed. Mr. Paulette asked if the Board wished to set a date for interviews.

After discussion, and by consensus, the Board instructed Mrs. Ferguson for her and Mr. Martin to interview applicants and recommend an applicant for Board approval.

Mr. Paulette suggested April 13, 1996 from 9:00 a.m. to 12:00 noon as the date and time for the joint session with the Board of Supervisors and Town Council.

Hearing no opposition, this date and time was confirmed.

Being no further business, at 10:00 p.m., Mr. Bosiger made a motion seconded by Mr. Torrence to recess until March 11, 1996 at 7:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on March 11, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order, stated the purpose of the hearing was to receive comments on the proposed real property tax rate and stated the procedure for addressing comments to the Board.

Mr. Paulette then called for comments.

Mr. John Gascoyne came forward and stated his address as Route 3, Box 284, Appomattox, VA. Mr. Gascoyne stated he felt the 1995 reassessment ludicrous. Mr. Gascoyne continued by saying the national rate of

increase in real estate values as 3%. He stated his 1990 assessed value was \$83,500 and the 1996 assessed value was \$130,000. Mr. Gascoyne continued this amounted to a 59% increase in real estate tax for him. Mr. Gascoyne also stated he felt he got no value for the taxes he paid. He requested the Board take his comments into consideration when setting the tax rate for 1996.

Mr. Paulette called for other comments.

Mr. Troy Roope came forward and gave his address as Route 2, Box 1226, Concord, VA. Mr. Roope stated he felt he wasted his time meeting with the Board of Assessors. He stated he had been assessed \$10,000 for a five (5) acre rock pile. Mr. Roope continued that he has not been treated fairly.

Mr. Roope continued by asking the Board to seriously consider the rate prior to setting.

Mr. Paulette called for other comments.

Mr. Melvin T. Moore came forward and gave his address as P. O. Box 42, Concord, Va. Mr. Moore stated he was against the proposed \$0.55 cent, per hundred tax rate, mainly because he doesn't understand the needs of the County. Mr. Moore feels that the increase is too great.

Mr. Paulette called for other comments.

Mr. Jesse M. Rosser came forward and gave his address as Route 2, Box 820, Appomattox, VA. Mr. Rosser thanked the Board for the opportunity to come before them to state his opinion. Mr. Rosser continued that he felt he was penalized for keeping a nice place. He stated he was not being treated fairly. He felt the reassessment was unfair. Mr. Rosser asked the Board to take a close look at every thing prior to setting the new rate.

Mr. Paulette called for other comments.

Mr. Charles R. Griffin came forward and gave his address as Route 5, Box 754, Appomattox, VA. Mr. Griffin continued by saying he moved here from South Carolina approximately five (5) years ago. Mr. Griffin stated that he felt a 13% increase in taxes was excessive, considering the average person's pay did not increase more than 3 percent a year. Mr. Griffin feels the twice a year billing was done due to taxes being so much the average person can not pay them once a year. Mr. Griffin felt he had an idea to replace property taxes with sales tax on properties for ten (10) years. He stated short termers would pay more. Mr. Griffin in closing, asked the Board to consider alternatives to the real estate taxes.

Mr. Paulette called for other comments.

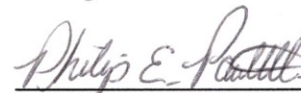
Mr. Raymond W. Mullins came forward and gave his address as Route 1, Appomattox, VA. Mr. Mullins stated his assessment increased by 46% from 1990 to 1996. He continued by saying his request was only that

the Board of Supervisors be good stewards of the funds and use these funds wisely. Mr. Mullins continued by asking the Board to increase what was necessary to prepare an honest budget and not be excessive.

Mr. Paulette asked for other comments.

Hearing none, Mr. Paulette announced the meeting times and dates of the Board of Equalization. Mr. Paulette also, announced that budget work sessions were in progress and invited anyone interested to attend.

Mr. Paulette then declared the public hearing closed at 7:30 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 11, 1996 at 8:05 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting of March 4, 1996 and stated there were several items that needed to be discussed. The first item for discussion was the proposed Juvenile Detention Agreement with the City of Lynchburg.

Mr. Carwile began by stating he had not had the time to review the revised agreement, but felt this agreement was looking much better than the original agreement. Mr. Carwile continued by pointing out several areas of the agreement which were of concern to him.

A lengthy discussion followed with each Supervisor pointing out various things for discussion in the proposed lease.

By consensus of the Board, Mrs. Ferguson was instructed to have the County Attorney review the new proposed agreement and meet with the Board March 12, 1996 to give his opinion on the changes in the proposed agreement.

Mr. Paulette next asked the other Board members if they wished to proceed with the sealed bid process on the three (3) old county cars.

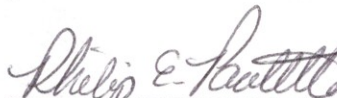
After discussion, the Board instructed the County Administrator to advertise the three (3) vehicles for sale.

Mr. Paulette then explained that the County Administrator and Maintenance Supervisor had interviewed for the Assistant Maintenance position and had selected an applicant for Board approval once the Criminal history check was completed.

Mr. Torrence brought a request for an Entertainment Permit from Pamplin Town Council, for May 11, 1996, for their annual Pamplin Day.

Mr. Torrence made a motion seconded by Mr. Moore to approve a Festival and Entertainment Permit for Pamplin Town Council, for May 11, 1996 and waive the bond and fees. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further, Mr. Carwile made a motion seconded by Mr. Bosiger to adjourn until March 12, 1996 at 7:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 12, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and asked Mr. Lawson, the County Attorney, to begin review of the draft Juvenile Detention Agreement with the City of Lynchburg.

Mr. Lawson stated there were several areas in the agreement that he did not fully understand. Mr. Lawson continued by pointing these items out to the Board.

Discussion followed with general review of the proposed juvenile detention agreement.

After discussion, Mrs. Ferguson and Mr. Lawson were instructed to seek the answers to questions raised and report back to the Board by March 18, 1996.

Mr. Paulette then turned the Boards attention to the budget, and a review of departments 1101-1302 proposed expenditures.

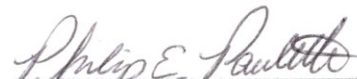
Mr. Paulette opened a discussion concerning the present computer system used by the County.

After discussion, and by consensus of the Board, Mrs. Ferguson was instructed to hire someone to analyze the present computer system and make a recommendation to the Board.

Pay increases for FY97 were discussed next.

After discussion, and by consensus of the Board, Mrs. Ferguson was instructed to figure increases for County Employees salary at 2.5%.

At 10:00 p.m. Mr. Moore made a motion seconded by Mr. Torrence to recess until March 18, 1996 at 7:00 p.m. in the School Board conference room. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on March 18, 1996 at 7:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 7:00 P.M. and called for a motion to move the meeting to the Courthouse.

Mr. Torrence made a motion seconded by Mr. Bosiger to move the meeting across the street to the Courthouse. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called the recessed meeting back to order at 7:01 P.M. in the Courthouse.

Mr. Paulette then welcomed, Mrs. Sabrina Smith, Registrar and Mr. Joe Foxwell, Secretary for the Electoral Board. Mr. Paulette asked if they would give a brief overview of their budget requests for FY97.

Mrs. Smith began by reviewing the line items in her budget that increased and gave an explanation for these increases.

Mr. Foxwell then went over some problems with communications on days of election, and asked the Board to keep this problem in mind. He continued by explaining the Electoral Board was looking into some solutions to this problem and they would return to the Board of Supervisors later with more information.

Mrs. Ferguson explained there were some maintenance items that need to be taken care of at the precinct buildings and she would review these with the Board during the budget process.

Mr. Paulette thanked Mr. Foxwell and Mrs. Smith for coming and called Mr. Charlie Peterson, Solid Waste Administrator to appear before the Board.

Mr. Peterson and Mrs. Ferguson gave an explanation of requests for Departments 4203 Collection; 4204 Disposal; 4206 Litter Grant and 4207 Recycling.

A general question and answer period followed.

Being no further questions for Mr. Peterson, Mr. Paulette thanked and excused him.

Mr. Paulette next told the other Board members that a decision needed to be made on the Juvenile Detention Agreement with the City of Lynchburg. Mr. Paulette then asked Mrs. Ferguson to provide the answers to the questions raised at a previous meeting.

Mrs. Ferguson provided the requested clarification of areas in the agreement that concerned the Board of Supervisors.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Moore that Appomattox County adopt the following resolution:

RESOLUTION

WHEREAS, the City of Lynchburg has an existing contractual relationship with the other localities in the 10th and 24th Judicial Districts to house juveniles in the Lynchburg Juvenile Detention Home ("Detention Home"); and

WHEREAS, the Detention Home no longer can serve the needs of such localities and the City of Lynchburg for secure detention; and

WHEREAS, on the basis of a Needs Assessment presented to to the Board of Youth and Family Services of the Commonwealth of Virginia, the Commonwealth has agreed to fund 50% of the \$5,000,000 construction cost of expanding and renovating the Detention Home to increase

the capacity from 20 beds to 48 beds; and

WHEREAS, the City of Lynchburg is willing to finance the remainder of the construction cost and to be responsible for finding alternative secure detention space for all juveniles from the localities when the Detention Home is at capacity; and

WHEREAS, the City of Lynchburg and the other localities in the 10th and 24th Judicial Districts have determined that entering into an Agreement with the City of Lynchburg regarding the use of the Detention Home is in the best interests of the citizens of each of the jurisdictions.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY that the Agreement between the City of Lynchburg and the localities of the 10th and 24th Judicial Districts presented to the Board this day is hereby approved, and the County Administrator is hereby authorized to execute such Agreement on behalf of the County. The Appomattox County Board of Supervisors appoints Aileen T. Ferguson, County Administrator as its member on the Advisory Board.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appoint Aileen T. Ferguson, County Administrator, to the Juvenile Detention Advisory Board representing Appomattox County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next advised the Board the tax rate for 1996 must be set.

A general discussion followed with each Board member expressing concerns with budget needs and revenue projections.

After discussion, Mr. Bosiger made a motion seconded by Mr. Carwile to set the lax levy for 1996 at \$0.52 per \$100.00 of assessed value of real estate. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, nay.

Mr. Paulette next presented a request from Pamplin Volunteer Fire Department for a permit to hold a special bingo on April 26, 1996 at Spout Spring Ruritan Club.

Mr. Torrence made a motion seconded by Mr. Carwile to approve a special bingo permit for April 26, 1996 for Pamplin Volunteer Fire Department. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Central Virginia Area Agency on Aging for their fees, for use of the Community Center, to be waived for the balance of FY96 and for FY97, due to budget cuts.

Mr. Carwile made a motion seconded by Mr. Moore to relieve the Central Virginia Area Agency on Aging from paying rent at the Community Center

for the balance of FY96 and all of FY97. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Phillip Kershner for the position of Maintenance Assistant.

By consensus of the Board, Mrs. Ferguson was instructed to offer Mr. Kershner the position of Maintenance Assistant beginning at a annual salary of \$12,480.00.

Mr. Moore presented a request for \$5,181.35 from the Solid Waste Administrator for reseeding of approximately 15 acres at the landfill.

After discussion, Mrs. Ferguson was instructed to have Mr. Peterson have soil samples analyzed to see what was recommended to be used for seeding, liming, etc.

Mr. Paulette also read a memo from Mr. Peterson concerning the recent landfill inspection. Mr. Peterson stated he would have received 100% if 15 points had not been deducted for too many dogs roaming around the landfill.

A lengthy discussion followed concerning the dog problem at the landfill and how best to address this problem.

Mr. Paulette next called for a motion to enter into executive session to discuss a legal matter.

Mr. Moore made a motion seconded by Mr. Bosiger to enter into executive session at 9:50 p.m. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 10:00 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Moore the following resolution was adopted:

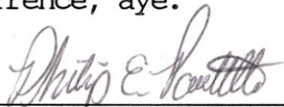
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the

executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further, Mr. Moore made a motion seconded by Mr. Bosiger to recess until 6:30 P.M. on March 25, 1996 to reconvene in the Courthouse juryroom. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 25, 1996 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District (left early)
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District (arrived late)
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the recessed meeting back to order at 6:30 P.M.

Mr. Paulette welcomed retired Congressman Watkins Abbitt, Sr., retired Judge Harry G. Lawson, retired Sheriff James E. Richardson and his wife Carolyn.

Mr. Paulette then asked Judge Lawson if he would like to speak first.

Judge Lawson thanked the Board for allowing him the opportunity to appear before them. He explained Sheriff Richardson had contacted him concerning action taken by a previous Board.

Judge Lawson stated he could not remember the details of the request by Sheriff Richardson to the previous Board but he did recall that whatever the request, it had been granted.

Mr. Lawson then reviewed some of the documents, that had been provided, with the Board.

Congressman Abbitt spoke then and stated also that he could not remember the specifics of the request, only that the request had been granted by the Board.

Sheriff Richardson spoke next and stated that the Board of Supervisors had approved the same benefits for local law enforcement retirees as was currently being received by the State Police but stated that in addition to that, Franklin Vaughan had brought it up that he should receive \$250.00 per month, after he retired until age 65, in addition to the State Police officers Retirement System benefits. Mr. Richardson explained this \$250.00 was the reason he was appearing before the Board.

Mr. Torrence stated he had met with Mr. & Mrs. Richardson and reviewed some figures with them. Mr. Torrence then voiced his opinion concerning the documents that had been provided saying he felt the \$250.00 was not a part of the retirement supplement from the State.

Mr. Torrence continued by saying that other constitutional officers received a salary supplement over the years and that Sheriff Richardson did not receive this supplement. Mr. Torrence stated that Mr. Richardson told him, that he told the Board he did not need the supplement.

Mr. Torrence stated that after studying all the documents it appears the LEO and the \$250.00 supplement were two different things. Mr. Torrence stated this was not a cut and dried situation.

Mr. Carwile stated that everything he had read led him to believe the intent was there to give Mr. Richardson this supplement.

Mr. Carwile then asked Mr. Richardson if he drew the salary supplement at any time.

Mr. Richardson said he drew the salary supplement for a short period of time during his employ and then he stopped taking this supplement because he felt he could do without it.

Mr. Bosiger asked if the County had established a fund for the \$250.00 per month supplement or was this part of the State retirement systems funds.

Mr. Paulette stated he felt that the \$250.00 per month was in fact the State retirement supplement.

Mr. Torrence stated he felt the Board should supplement Mr. Richardson's retirement because the other constitutional officers received a salary supplement for some years that Mr. Richardson refused.

Mr. Richardson stated he was not aware that the other constitutional officers were receiving a salary supplement until Mr. Torrence talked with him.

Mr. Carwile asked Mr. Richardson if he expected to receive this supplement until he was age 65.

Mr. Richardson stated he only wanted to draw this supplement until age 62.

Mr. Moore joined the meeting.

Discussion continued. After discussion, and by consensus of the Board, the matter of the retirement supplement for Mr. Richardson was continued to a later date, to enable Mr. Moore to review the tape.

Mr. Paulette thanked and excused the guest and called the school board to appear before the Board.

Mr. Paulette welcomed the members of the School Board, Dr. Thomas and other members of the School Board Staff. Mr. Paulette then asked Dr. Thomas to give an overview of his budget and then give the Supervisors an opportunity to ask questions.

Dr. Thomas began by explaining the budget that was previously presented to the Board of Supervisors was no longer valid. He provided copies of the amended FY97 proposal to each Board member.

Dr. Thomas explained that his expenditures had been reduced by \$313,000.00. He explained this reduction was due to retirement rate reduction and not having to pay life insurance premiums for FY97.

Dr. Thomas continued his explanation of requested expenditures and anticipated revenues. Dr. Thomas then answered questions from the Supervisors concerning his budget request.

After discussion, Mr. Paulette thanked and excused Dr. Thomas and the School Board for their FY97 budget explanation.

Mr. Paulette left the meeting sick.

Mrs. Ferguson presented a request for \$448.35 from Mr. Peterson to seed the 15 acres at the landfill prior to getting the soil analysis.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$448.35 to purchase fescue and rye to reseed the 15 acres at the landfill. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented the bids received on the Route 608 Super Site. Two bids were received. They are as follows:

- | | | |
|----|----------------------------|-------------|
| 1) | Pearson Construction, Inc. | |
| a) | Barbed Wire Fence | \$31,555.00 |
| b) | Welded Wire Fence | 32,230.00 |
| 2) | W. Frank Moore, Inc. | |
| a) | Barbed Wire Fence | \$26,384.00 |
| b) | Woven Wire Fence | 27,014.00 |

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to accept the bid of W. Frank Moore, Inc. of \$27,014.00 for the site on Route 608 with a woven wire fence. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson pointed out the cost of the stone was not included in the bid price. The stone should cost approximately \$4,195.00.

Mrs. Ferguson presented, next, bids for the containers for the Route 608 site.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to accept the bid of Wilbar Truck Equipment of \$19,004.00 for containers for the Route 608 site. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next explained the Board had been asked to write a letter supporting the Tiny Angel's Day Care grant application.

Mr. Torrence made a motion seconded by Mr. Carwile to write a letter of support for the Tiny Angels Day Care grant application. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next explained that the Sheriff was looking into purchasing new guns for his department. Mrs. Ferguson continued that Sheriff Staples plans to sell his old guns to offset the cost of the new guns. Sheriff Staples is requesting that the amount he received for the old guns be added back to his budget.

After discussion and by consensus of the Board, it was agreed the amount Sheriff Staples received for the sale of his guns would be returned to his budget.

Mrs. Ferguson next explained that Town Council would like to reschedule the joint meeting for May 11, 1996 from 9:00 A.M. to 12:00 noon at the Community Center.

After discussion and by consensus of the Board, May 11, 1996 was rescheduled for the Town/County Joint Work Session.

Mrs. Ferguson presented a request from Richard Martin, Director of Social Services, that the Board of Supervisors appropriate funds to purchase a new vehicle.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$12,062.00 for Social Services to purchase a new vehicle. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

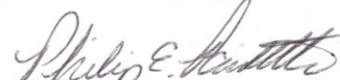
Mrs. Ferguson presented the members of the Board with copies of Section 8.01-156 of the Code of Virginia concerning personal property of people being evicted and explained the Board of Supervisors was going to have to designate a storage area for this personal property at a later date.

Mrs. Ferguson requested the Board of Supervisors set a date for public hearing on amending the Animal Control Ordinance.

By consensus, the Board of Supervisors, set April 15, 1996 at 6:30 p.m. for the public hearing on amending the Animal Control Ordinance.

Mrs. Ferguson, also, informed the Board that livestock running at large was creating a problem in the County. She requested the Board strongly consider an ordinance to require owners of livestock to confine them to their property.

At 9:30 p.m. Mr. Torrence made a motion seconded by Mr. Bosiger to adjourn until the regular meeting on April 1, 1996 at 7:00 p.m. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 1, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Bosiger to have the invocation.

Mr. Paulette next called Mr. Don Austin, Assistant Resident Engineer, Virginia Department of Transportation to appear before the Board.

Mr. Austin gave a report on Virginia Department of Transportation activities for the month of March, 1996. Mr. Austin then answered several questions for Supervisors Carwile and Torrence.

Being nothing further for Mr. Austin, Mr. Paulette thanked and excused him.

Mr. Paulette then called for Supervisor concerns.

Mr. Torrence explained that there was a group that was trying to develop a playground at the Old Pamplin School and asked the status of that property. Mr. Torrence continued by saying he understood the property had been given to Pamplin for use as a business, but understood, if the business closed the property would revert back to the County.

Mrs. Ferguson was instructed to research this matter.

Mr. Bosiger brought for discussion the issue of County vehicles being driven to and from work by County employees.

Discussion followed with consensus of the Board that this issue would be continued to another meeting.

Mr. Carwile presented each Board member with copies of letters from the Health Department and Hurt & Proffitt concerning the handling of sewage. (Copies on file in April 1996 Board File.) Mr. Carwile then explained there was a facility operating as he would propose in Stuart's Draft and requested that Mr. Dickerson, Mr. Peterson, and one supervisor inspect this facility, and report back to the Board.

Mrs. Ferguson was instructed to contact Mr. Dickerson, as to the charge to the County, for visiting this site and report to the Board at the next meeting.

Mr. Carwile next addressed the issue of rabies and the dog and cat problem in the County. Mr. Carwile continued that he did not have the answer to the problem, but would like to form a citizen committee to review and suggest a solution.

Mr. Carwile suggested the Committee be composed of the Sanitarian, Animal Warden, County Administrator and one citizen from each Electoral District.

After discussion, it was agreed to form a committee to review the animal problems in the County. Each Board member was to submit to Mrs. Ferguson the name of a person in their district who was willing to serve on this committee.

Mr. Paulette then turned to Administrative Items.

Mr. Paulette explained Mrs. Carolyn Lawson was requesting the Community Center's hours be altered to conform with other County offices.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to change the hours for the Community Center from 8:00 a.m. to 4:30 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a letter from Mr. Curtis L. Roberts II, Communications Director for the United Way of Central Virginia, requesting a proclamation recognizing May 22, 1996 as United Way Day.

Mr. Moore made a motion seconded by Mr. Bosiger to approve the following proclamation:

RESOLUTION

UNITED WAY OF CENTRAL VIRGINIA

WHEREAS, United Way of Central Virginia is celebrating its 75th anniversary in 1996; and

WHEREAS, the agencies of the United Way serve the citizens of Central Virginia through many varied and vitally needed services; and

WHEREAS, the volunteers of the United Way of Central Virginia, by their unselfish and untiring efforts, contribute significantly to the welfare of all Central Virginians; and

WHEREAS, the young, the senior citizens, the unfortunate, the troubled and the handicapped are helped by the assistance and concern of the supporters of United Way of Central Virginia; and

THEREFORE BE IT RESOLVED, that May 22, 1996 shall be known as United Way of Central Virginia day in the County of Appomattox in observance of its 75th anniversary, and all our citizens are urged to support wholeheartedly and generously this great volunteer effort that touches all our daily lives in some way.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the National Multiple Sclerosis Society for a resolution setting aside the month of May 1996 as Multiple Sclerosis Awareness Month.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

Recognizing and commemorating the fiftieth year of the incorporation of the National Multiple Sclerosis Society and honoring its founder, Sylvia Lawry.

WHEREAS, MS is the most common disabling neurological disease of young adults in this country, affecting one-third of a million nationwide, and more than 1600 in Western Virginia alone;

WHEREAS, The National MS Society has provided more than \$189 million for biomedical research and fellowship grants in the past fifty years;

WHEREAS, The Blue Ridge Chapter of the National MS Society provides a wide range of client services in the areas of health knowledge and independence throughout Western Virginia; and

WHEREAS, Research advances have now brought us closer than ever to finding a cause and a means of preventing MS and arresting its progress;

NOW THEREFORE, BE IT RESOLVED, that we pause in our deliberations to recognize and commemorate the month of May Nineteen Hundred Ninety-Six as Multiple Sclerosis Awareness Month in honor of Sylvia Lawry and the achievements of the National MS Society in helping individuals living with MS, and to encourage the National MS Society in the pursuit of its mission of advancing the cure, prevention and treatment of MS and improving the lives of those affected by this devastating disease;

and

BE IT FURTHER RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the Blue Ridge Chapter of the National MS Society.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette brought up the matter of a designated storage area for personal property of any person evicted from another's premises. Mr. Paulette explained that per Code of Virginia section 8.01-156 the Board of Supervisors must designate a storage area for these belongings.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to designate the two (2) storage facilities in the County for the purpose of storing personal belongings of anyone being evicted from another's premises, with the Sheriff choosing the most reasonably priced facility. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the Solid Waste Administrator to expand the Route 604 "Super Site" by one container due to the increased volume of trash at this site.

After discussion and by consensus of the Board, the request was denied and Mr. Peterson was instructed to dump the containers more often, if necessary.

Mr. Paulette then presented appropriation request from Commission of Revenue, Commonwealth Attorney, Jail, Animal Warden, Maintenance Department, Courthouse Maintenance Fund, Asset Forfeiture Account, Library, and Law Library.

After discussion, Mr. Bosiger made a motion seconded by Mr. Moore to make a supplemental appropriation in the amount of \$1,661.66 from general operating fund and \$683.34 from the Asset Forfeiture Account for 2201-7001 to pay for computer. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to make a supplemental appropriation in the amount of \$900.00 to 3301-5407 to replace counter tops in the kitchen. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to approve a supplemental appropriation of \$500.00 to 3501-5402 for dog food. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to approve a supplemental appropriation of \$285.00 for 4302-5407 for repairs to the jail roof. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$153.23 from the Courthouse Maintenance Fund to 4302-7010. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate \$325.00 from the Library Fund to 7301-5414. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$77.58 from the Law Library Fund for the month of April, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next stated that a decision on James E. Richardson's, retired Sheriff, request for a \$250.00 per month supplement to his retirement had been continued to this meeting. Mr. Paulette requested the pleasure of the Board on this matter.

After discussion, and by consensus of the Board of Supervisors, it was determined the \$250.00 in question, is the Law Enforcement Officers Supplement administered by the Virginia Retirement System, and approved by Board of Supervisors action on September 13, 1985.

Mr. Paulette next presented a request from Memorial United Methodist Church for use of the Courtland field on June 1, 1996.

Mr. Torrence made a motion seconded by Mr. Moore to allow Memorial United Methodist Church the use of the Courtland field on June 1, 1996 for a family fun day. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the Sheriff for an appropriation to replace the refrigerator in the jail.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to appropriate \$598.00 to replace the refrigerator in the jail. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next explained the Board had two (2) options for funding cost-of-living increases in retirement. Mr. Paulette continued that information had been provided explaining these options and a decision would have to be made by July 1, 1996.

Mr. Paulette explained that middle management with Norfolk/Southern Railroad had approved the property transfer on Route 648 and were waiting on upper management approval.

Mr. Paulette then informed the Board that a decision on Raymond Dickerson's tax exemption request, on Pamplin Pipe Factory, had been continued from the March 4, 1996 meeting to this meeting.

After discussion, Mr. Torrence made a motion to exempt Mr. Raymond Dickerson's property known as the Pamplin Pipe Factory.

Hearing no second, Mr. Paulette stated the motion died for lack of a second.

Mr. Paulette next presented a livestock damage claim for payment.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$2,420.00 to pay for livestock killed by stray dogs. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 8:15 p.m. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 8:37 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

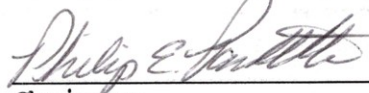
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to make an offer for the doctor's office in the amount of \$225,000.00 for a term of 15 years at 8% interest. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Torrence made a motion seconded by Mr. Bosiger to adjourn until April 8, 1996 at 7:00 p.m. in the Courthouse. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 8, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the recessed meeting back to order and welcomed Sheriff Staples.

Mr. Paulette then asked Mrs. Ferguson to begin review of Sheriff Staples Budgets.

Budget request for FY97 were reviewed for departments 2107 - Civil Process; 3102 - Sheriff; 3103 - Sheriff's Department (Town); 3104 - Sheriff's (grant) and 3106 - Dare.

Sheriff Staples explained that a 4.35 % increase was included in his request and the State had approved this increase.

Sheriff Staples also stated he had included \$60,000.00 for three (3) cars in his FY97 budget request, that he would not be needing this year. Sheriff Staples continued by giving an explanation of line item increases in his budget requests.

After a lengthy discussion, Mr. Paulette thanked and excused Sheriff Staples and called Mr. Martin, Maintenance Superintendent, to appear before the Board.

Mrs. Ferguson and Mr. Martin began an explanation of 4302 - General Properties, budget request for FY97. Mr. Martin gave a detailed explanation for any areas of increase.

After questions and answers, Mr. Paulette thanked and excused Mr. Martin.

Mrs. Ferguson next presented Mr. Bryan Elder's name to fill the position at the landfill vacated by Mrs. Virginia Wheeler.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to hire Bryan Elder at an annual salary of \$10,400.00 effective immediately. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented a request from the National Park Service that the County approve concurrent jurisdiction for park lands.

After discussion and by consensus of the Board, concurrent jurisdiction was approved for the National Historical Park.

Mr. Paulette informed the Board that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 9:25 p.m. to discuss a legal matter.

On a motion by Mr. Bosiger seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 9:35 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger the following resolution was adopted:

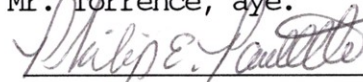
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

At 9:45 p.m. being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until April 15, 1996 after the public hearing. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.



Chairman

A public hearing of the Appomattox County Board of Supervisors was held on April 15, 1996 at 6:30 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Russell H. Moore, Vice-Chairman - Piney Mountain District (late)
Garet K. Bosiger - Falling River District
Dennis W. Torrence - Appomattox River District

Absent:

Philip E. Paulette - Courthouse District
Frank H. Carwile - Wreck Island District

Also Present:

Aileen T. Ferguson - County Administrator

MR. Torrence called the hearing to order at 6:40 p.m. and stated the purpose of the hearing was to receive public comment on proposed amendment to the Animal Control Ordinance as follows:

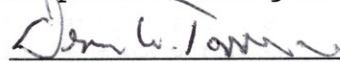
An Ordinance to Amend and Adopt Chapter 44, Section 44.2 of the Appomattox County Code pertaining to RUNNING AT LARGE - PROHIBITED DURING CERTAIN MONTHS.

It shall be unlawful for the owner of any dog to permit such dog to run at large from April 15 to May 15. Any dog shall be deemed to run at large while roaming, running or self hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control. Any person who permits his dog to run at large, or remain unconfined, unrestricted or not penned up shall be deemed to have violated the provisions of this section and shall be guilty of a Class IV Misdemeanor

NOTE: For State Law authorizing this section, see Code of Virginia (1950 as amended). Section 3.1-769.93.

Mr. Torrence then called for public comments.

Hearing none, Mr. Torrence closed the public hearing at 6:45 P.M.


Board of Supervisors

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on April 15, 1996 at 7:00 p.m.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Absent:

Frank H. Carwile - Wreck Island District

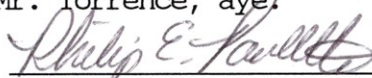
Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the recessed meeting to order and asked Mrs. Ferguson to continue with budget review.

Mrs. Ferguson began review of FY97 budget requests for departments 21010 - Circuit Court; 21020 - General District Court; 21050 - Juvenile/Domestic Relations Court; 21060 - Clerk of Circuit Court; 21090 - Court Services Unit; 21300 - Magistrates; 22010 - Commonwealth Attorney; 31080 - Crime Prevention; 32020 - Volunteer Fire Department; 32030 - Rescue Squads; 32040 - Forestry Services; 33010 - Sheriff/Jails/Operation; 34010 - Office of Building & Housing; 35010 - Animal Control; 35030 - Medical Examiner; 36050 - Emergency Services; 41010 - Road Viewers; 42060 - Litter Grant; 42070 - Recycling; 43020 - General Properties; 51010 - Health Department; 51050 - Central Virginia Area Agency on Aging; 52020 - Central Virginia Community Services; 53010 - Social Services; 53020 - State & Local Hospitalization; 53090 - Housing & Rental Assistance; 53100 - Comprehensive Services; 61010 - School Budget; 64010 - Community College; 71020 - Recreation Department; 71040 - Community Center; 71090 - Contributions; 72050 - Office on Youth; 73010 - Public Library; 81010 - Planning; 81040 - Zoning & Subdivision; 81050 - Economic Development; 81060 - Chamber of Commerce; 81110 - Board of Zoning Appeals; 81120 - Appomattox County Planning Commission; 82030 - Soil & Water Conservation; 83030 - Extension Service; 91040 - Capitol Projects; 92030 - Commissioner of Accounts. Discussion followed concerning possible area to reduce the budget.

Mr. Bosiger made a motion seconded by Mr. Moore to recess until April 22, 1996 after the Public Hearing. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on April 22, 1996 at 7:30 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Absent:

Russell H. Moore - Piney Mountain District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 7:30 p.m. and stated the first order of business was to open the bids received on the surplus police cars.

Three (3) bids were received and are recorded as follows:

Carolyn F. Richardson - bid \$600.00 on the 1991 Chevrolet Lumina.
Winners Motor Corp. - bid \$777.00 on the 1991 Chevrolet Lumina; and
\$2,150.00 each on the 1991 Chevrolet Caprices.

The Town of Appomattox bid \$4,930.00 on the 1991 Burgundy Caprice
VIN#1G1BL5371MW230030.

After Discussion, Mr. Torrence, made a motion seconded by Mr. Carwile to accept the Town of Appomattox's bid for the 1991 Chevrolet Caprice VIN#1G1BL5371MW230030 in the amount of \$4,930.00 Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

By consensus of the Board, all other bids were refused.

Mrs. Ferguson next presented the Board with information concerning the computer system.

After discussion, Mrs. Ferguson was instructed to continue looking at other systems for the County.

Mrs. Ferguson presented revised copies of the budget reflecting proposed changes made to date.

Budget review continued.

Mr. Richard Martin, Director, Social Services, met with the Board to explain his budget request. Mr. Martin began by explaining his requests were preliminary because he had not received his final figures from the State or Federal governments. Mr. Martin continued by explaining his budget request and providing information on welfare reform to the Board of Supervisors.

Mr. Martin stated his final figures from the State should be here by May 1996, and at that time he would present a true budget for approval by the Board of Supervisors.

Mr. Paulette thanked Mr. Martin for his budget information.

Discussion continued on the budget with the Community Services Board with information being provided to each Board member.

Salary increases were discussed with State increase information being provided for each constitutional officer and their staff.

As budget review continued the following changes were made:

Decrease - 1101-3002 by \$ 5,000.00
 Increase - 1101-5804 by \$127,397.00
 Decrease - 1201-5401 by \$ 1,000.00
 Decrease - 1209-1003 by \$ 1,000.00
 - 1209-3010 by \$ 1,000.00
 Increase - 2101-5413 by \$ 300.00
 Decrease - 2106-7002 by \$ 4,400.00
 Decrease - 3102-5203 by \$ 1,470.00
 Decrease - 3105-3012 by \$ 32,373.00
 Decrease - 3202-5203 by \$ 500.00
 Decrease - 3401-5413 by \$ 2,000.00
 Decrease - 3501-5413 by \$ 1,200.00
 Decrease - 4203-3004 by \$ 6,000.00
 Decrease - 4204-3002 by \$ 5,000.00
 - 4204-5203 by \$ 500.00
 - 4204-5401 by \$ 300.00
 - 4204-5407 by \$ 500.00
 Decrease - 6101-1001 by \$270,000.00
 Decrease - 8106-5604 by \$ 5,338.00

Discussion followed concerning discontinuing use of the small containers in order to take the front end loaders off the road.

Mr. Torrence mentioned the donation to the Chamber of Commerce and requested the Board consider replacing the funds in order for brochures to be printed promoting Appomattox.

After discussion, it was agreed by the Board to take \$5,338.00 from the Budget of the Chamber of Commerce with the understanding that when the brochures needed to be reprinted, the County would fund half of the cost.

Mr. Paulette informed the other Board of Supervisor members that Dr. Thomas was looking at natural gas for the schools, to eliminate the high electric cost for the schools.

A lengthy discussion surrounded the school boards budget request.

Mr. Carwile made a motion seconded by Mr. Bosiger to recess at 12:00 p.m. until April 29, 1996 at 7:00 p.m. in the Courthouse. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.


 Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, The Appomattox Town Council and the Pamplin Town Council was held on April 22, 1996 at 7:00 p.m. in the Appomattox County Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent (Board of Supervisors):

Russell H. Moore - Piney Mountain District

Present (Planning Commission):

Robert Johnson
Wayne Lewis
R. W. "Bobby" Mitchell
Calvin Tanner
Jim Sefter
Al Sears

Absent (Planning Commission):

Russell H. Moore
Charles Smith
Elizabeth Edwards
Claude A. Moore

Present (Appomattox Town Council):

Ronnie Spiggle
R. W. "Bobby" Mitchell

Absent (Appomattox Town Council):

R. L. "Dick" Bass
Sammy Carter
Marvin Mitchell
Jimmy Mayberry
Steve Lawson

Present (Pamplin Town Council):

Elizabeth Edwards
Robert Johnson

Absent (Pamplin Town Council):

Johnnie Elder
Ruth Williamson
Kolena Baldwin
Margaret Payne

Also present:

W. M. Caldwell, Clerk - Planning Commission
Aileen T. Ferguson - County Administrator

Mr. Paulette called the hearing to order, stated the purpose of the hearing was to receive public comment on several zoning petitions, and stated the manner for addressing the Board.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition number 96-281 of Debra Powell, Barbara Carr, and Leulla Coleman for a special exception to R-2 zoning to allow a catering facility and a Bed and Breakfast utilizing five bedrooms for guests in existing dwelling unit on the A. A. Babcock property at 106 Oakleigh Avenue. Property is zoned R-2.

Mr. Paulette asked for comments on this petition.

Mrs. Debra Powell came forward and stated her address as Appomattox, Virginia. Mrs. Powell continued by saying their plans were to renovate the property but there would be no change to the outside of the house. Mrs. Powell stated they would provide off street parking to accommodate their customers.

Mr. Jessee Rosser came forward and gave his address as Appomattox, Virginia. Mr. Rosser stated he endorsed the request for the bed and breakfast because he felt it would help the employment in the area as well as help the public at large.

Mr. John L. Wilson came forward and stated his address as Appomattox, Virginia. Mr. Wilson continued that he felt this would be an asset to the community. Mr. Wilson continued that the community needed additional dining and lodging. Mr. Wilson closed by saying he and his wife supported the approval of this application.

Mr. Paulette asked if anyone else wished to comment on this petition. Hearing no further comments, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-282 of M. R. and Margaret B. Shields to rezone property from R-2 to B-1. Property is Tax Map Parcel #64A6(a)88 and 89 and is located on Business 460 between Route T1022 and T1027.

Mr. Paulette called for comments on this petition.

Mr. Ronnie Spiggle stated he would like to point out that this request came about because the Shields were approached about selling their property to someone to build a fitness center. Mr. Spiggle continued the Shield's felt their property, located on Route 460, might be easier to sell as business property and that was the reason for their petition.

Mr. Paulette called for other comments on this petition. Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-283 of Fred H. Jones to rezone from R-2 to B-1. Property is located on Route 1012 between Route 460 and T1014.

Mr. Paulette asked for comments on this petition.

Mr. James Ryan came forward and gave his address as Appomattox, Virginia. Mr. Ryan stated his property was located close to this property and since he did not know what type business would locate there, he was opposed to this rezoning request.

Mr. Paulette asked if anyone else wished to comment on this petition. Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-284 of Linda H. Goode and others to rezone property from R-1 to R-2. Property is Tax Map Parcels 73(A)48, 49, 50, 51, 52, 53, 54, 55 and 56 and is located on Route 648 between Route 460 and Route 652.

Mr. Paulette called for comments on this petition.

Mrs. Linda H. Goode came forward and stated her address as Route 1, Box 2084, Spout Spring, Virginia. Mrs. Goode continued by saying that she was there requesting a zoning change to allow people to have mobile homes on their property.

Mr. Paulette called for other comments on this petition.

Mr. Carlton Thompson came forward and stated he and his father owned property near the property up for rezoning. Mr. Thompson stated he was not opposed to one mobile home being placed on this property but he was opposed to a number of mobile homes being placed in this area.

Mr. Paulette called for other comments on this petition. Hearing none, Mr. Caldwell read petition 96-285 of R. G. Steward for a Conditional Use Permit to allow mobile home in V-1 district. Property is Tax Map Parcel #111A2(A)104 and is located on Business 460 between Route T1111 and Route 47.

Mr. Paulette called for comments on this petition. Hearing no comments, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-286 of Mickey C. Martin for a Conditional Use Permit to allow home occupation being a Photo Reproduction and Mug Mail Order Business in existing dwelling. Property is zoned R-1 and is located on Route 646 between Route 460 and Route 708.

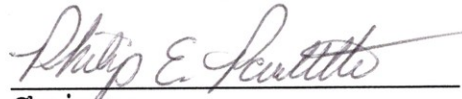
Mr. Paulette called for comments on this petition. Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-287 of Shearer B. Robertson and Mickey C. Martin for a Conditional Use Permit to allow two (2) family residence be located in existing structure presently used as Spout Spring Home for Adults. Property is zoned R-1 and is located on Route 647 between Route 460 and Route 689.

Mr. Paulette called for comments on this petition. Hearing none, Mr. Paulette asked Mr. Caldwell to read the final petition.

Mr. Caldwell read petition 96-288 of Harold E. Howard for a Conditional Zoning Permit to allow a Desk Top Publishing Business in existing dwelling. Property is part of Tax Map Parcel 65(A)6 and is located on Route 627 between Route 24 and Route 631.

Mr. Paulette called for comments on this petition. Hearing none, and being no further comments, Mr. Paulette declared the public hearing closed at 7:18 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 29, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Absent:

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 7:00 p.m. and welcomed Mr. Augustine J. Fagan, Executive Director, Central Virginia Community Services Board.

Mr. Fagan presented the Board of Supervisors with handouts concerning Central Virginia Community Services activities. (Copies on file in April 1996 Board File.) Mr. Fagan continued by providing detailed information on the Community Services Board and answered questions asked by the Board of Supervisors.

After a very informative session, Mr. Paulette thanked and excused Mr. Fagan.

Mr. Paulette next asked Mr. Monte Mays, Commissioner of Revenue, to appear before the Board.

Mr. Mays thanked the Board for allowing him to explain his need for the additional \$1,000.00 in part-time salaries. Mr. Mays provided copies of his budget request and then explained the amount of work processed by his office.

After his explanation, Mr. Mays requested the Board of Supervisors leave his funds for part-time salaries as requested.

Mr. Paulette thanked and excused Mr. Mays and asked Mrs. Ferguson for other business.

Mrs. Ferguson presented a Request for the Historic Railroad Festival for use of the ballpark to hold a tournament as a fund raising event.

Mr. Carwile made a motion seconded by Mr. Moore to allow the Historic Appomattox Railroad Festival Board the use of the ballpark, free of charge, to hold a tournament as a fund raising event. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mrs. Ferguson next presented a request from the Sheriff's Department for an appropriation of \$4,500.00 due to grants received from DMV.

Mr. Carwile made a motion seconded by Mr. Bosiger to appropriate \$4,500.00 to 3107-7001 due to three (3) grants received from DMV. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.

Mr. Paulette then explained an executive session was necessary to discuss a legal matter.

Mr. Carwile made a motion seconded by Mr. Bosiger to enter into executive session at 8:58 p.m. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.

On a motion by Mr. Moore seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session at 9:18 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.

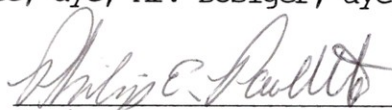
On a motion by Mr. Moore seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.

At 9:35 p.m. being nothing further, Mr. Moore made a motion seconded by Mr. Bosiger to recess until 7:00 p.m. on May 6, 1996 for the regular board meeting. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Moore, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on May 6, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Torrence to have the invocation.

Mr. Paulette next called for corrections or additions to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of March 4, 1996 and March 11, 1996; a special meeting of February 26, 1996; a regular meeting of March 4, 1996 and recessed meetings of March 11 & 12, 1996. Vote: Mr. Paulette, aye, Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation to appear before the Board and report on VDOT activities for the past month.

Ms. Lindsay brought the Board up to date on several projects they had been following. She then invited the Board members to an open house at the newly renovated VDOT office in Appomattox.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked her for coming.

Mr. Paulette next called on Mr. Earl Dickerson, Hurt and Proffit and Mr. Mike Smithers, Health Department to appear before the Board to discuss their visit to the septage facility in Stuarts Draft.

Mr. Earl Dickerson briefed the Board on their findings when they visited the Septage-Sewage Collection Treatment Station that is being run by Mr. Kenner Campbell. Mr. Dickerson explained that Mr. Campbell privately owned the facility which they toured. Mr. Dickerson continued that Mr. Campbell owned a large tract of land on which two (2) hugh tanks were located. These tanks were 110' in diameter and 20' deep, open at the top with no cover. Mr. Dickerson explained that this seemed to be a very simple process. Mr. Dickerson continued that after a period of time this waste product was sprayed on an 80 acre tract of land. Mr. Campbell applied this product twice a year, rotating fields. Mr. Dickerson said this product was spread with a spray truck, which held 3,000 gallons, on a 10 acre tract of land. There are no

chemicals added and no real treatment process. The waste product sets for 90 days and he applies this to the soil twice a year. Mr. Dickerson then asked Mr. Mike Smithers to comment on the permitting process and the Health Department's feelings on what he saw.

Mr. Smithers stated that the volume applied barely wet the soil and that the local Health Officials in that area seemed pleased with the operation. Mr. Smithers continued that there was not a lot of testing required although there were lots of buffer area required between the fields that had the applied product and other areas.

Mr. Dickerson and Mr. Smithers then answered questions from the members of the Board. After discussion, Mr. Paulette thanked Mr. Dickerson and Mr. Smithers for the information provided.

Mr. Paulette then called Dot Davidson to appear before the Board.

Mrs. Davidson told the Board that she was coming to them with a request for a dumpster to be located in Sleepy Hollow Mobile Home Park, to serve the Appomattox Literacy Intervention Program. Mrs. Davidson explained that Carolyn Jo Bondurant and Alfred Jones were running this program in Sleepy Hollow and Dogwood Apartments with great success. Mrs. Davidson finished by saying she would appreciate any assistance the Board could give in this regard.

Mr. Paulette thanked Mrs. Davidson and called for Supervisor concerns.

Mr. Carwile asked Mrs. Ferguson if she would check into activities at a dwelling on Route 26 to see if zoning requirements were being met.

Mr. Torrence asked Mrs. Ferguson to check on the abandoned automobile ordinance to see if it was still being enforced.

Mr. Torrence also expressed concern over an abandoned tire pile located at Able Tire at Concord.

Mrs. Ferguson stated that she understood from Mr. Peterson, Solid Waste Administrator, that D.E.Q. had been notified of this situation.

Mr. Paulette notified the other Board members that Mr. John Caldwell would be resigning as Economic Development Director and from the Region 2000 Board effective June 30, 1996. Mr. Paulette asked the Board to be thinking about a replacement.

Mr. Paulette informed the Board that in order to transfer the Pamplin School Property to the Town of Pamplin a public hearing would have to be held.

By consensus, the Board set June 3, 1996 at 6:30 p.m. to hold this hearing.

Mr. Paulette then notified the other Board members that three applications had been received for the position of Animal Warden.

Mr. Bosiger made a motion seconded by Mr. Moore for Mrs. Ferguson to interview applicants for Animal Warden and return to the Board with a recommendation. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Planning Commission recommendations from the April 22, 1996 public hearing.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to accept the Planning Commission recommendations and approved the following petitions:

96-284 - Linda H. Goode and Others - Rezone property from R-1 to R-2. Property is Tax Map Parcels 73(A)48, 49, 50, 51, 52, 53, 44, 55 & 56, and is located on Route 648 between Route 460 and Route 652.

96-286 - Mickey C. Martin - Conditional Use Permit to allow Home Occupation being a Photo Reproduction and Mug Mail Order business in existing dwelling. Property is zoned R-1 and is located on Route 646 between Route 460 and Route 708.

96-287 - Shearer B. Robertson & Mickey C. Martin - Conditional Zone Permit to allow two (2) family residence be located in existing structure presently used as Spout Spring Home for Adults. Property is zoned R-1 and is located on Route 647 between Route 460 and Route 689.

96-288 - Harold E. Howard - Conditional Zone Permit to allow a Desk Top Publishing Business in existing dwelling. Property is part of Tax Map Parcel 65(A)6 and is located on Route 627 between Route 24 and Route 631.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Mr. Peterson, Solid Waste Administrator, for his certification renewal to be paid from convention and education under 11010.

Mr. Moore made a motion seconded by Mr. Bosiger to pay \$300.00 from 11010 for Mr. Peterson's certification renewal. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked the Board if they wished to take action to adopt the amendment to the Animal Control Ordinance?

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following amendment to the Animal Control Ordinance:

An Ordinance to Amend and Adopt Chapter 44, Section 44.2 of the Appomattox County Code pertaining to RUNNING AT LARGE - PROHIBITED DURING CERTAIN MONTHS.

It shall be unlawful for the owner of any dog to permit such dog to run at large from April 15 to May 15. Any dog shall be deemed to run at

large while roaming, running or self hunting off the property of its owner or custodian and not under its owner's or custodian's immediate control. Any person who permits his dog to run at large, or remain unconfined, unrestricted or not penned up shall be deemed to have violated the provisions of this section and shall be guilty of a Class IV Misdemeanor

NOTE: For State Law authorizing this section, see Code of Virginia (1950 as amended). Section 3.1-769.93.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that Mrs. Ferguson has requested the Board concerning adopting a fencing ordinance.

After discussion, and explanation from County Attorney, Thomas W. Lawson, the Board by consensus, asked Mr. Lawson to look into drafting an ordinance for the Board's review.

Mr. Paulette next presented appropriation request for Treasurer and Commissioner of Revenue; Sheriff's Department-Jail; Landfill; School Board and Law Library.

After discussion, Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$447.66 to 1101-5803. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate \$2,798.95 to 3301-3001 for inmate medical expenses. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$2,370.43 to 42040-to reseed 15 acres of closed out cell. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$20,216.00 to 42040 to purchase vehicle. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$44,366.00 to the School Board for additional State Funds received. Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$751.23 from the Law Library Fund for the month of May 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the Appomattox Volunteer Fire Department for the old radio tower.

Mr. Torrence made a motion seconded by Mr. Moore to donate the old radio tower to the Appomattox Volunteer Fire Department. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that effective January 1, 1996 any employee with a commercial drivers license is required to be randomly tested for drugs and alcohol. Mr. Paulette continued that in order to implement this policy, an addition to the personnel policy is required.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following amendment to the County Personnel Policy:

**AMENDMENTS
APPOMATTOX COUNTY PERSONNEL POLICY**

DRUG AND ALCOHOL TESTING FOR CDL DRIVERS

The County shall implement a drug and alcohol testing program for employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations, who perform safety-sensitive functions as required by federal and state law regulations.

Prohibited Conduct:

Drivers shall be prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, exhibiting behavior/appearance characteristic of alcohol misuse, and use during eight hours following an accident or until after she/he undergoes a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect his ability to safely operate a motor vehicle.

Required Testing

Drivers shall be subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to state law, drivers shall be subject to pre-employment alcohol testing. Any employee who refuses to submit to a post-accident, random, reasonable suspicion or follow up test shall not perform or continue to perform safety-sensitive functions.

Notification

Each driver shall receive educational materials that explain the requirements of federal law and regulations together with a copy of the division's policy and procedures for meeting these requirements. Each driver shall sign a statement certifying that he/she has received a copy of the above materials and the division shall maintain this signed copy.

The division shall notify employees as required by federal law.

Consequences if testing indicated drug or alcohol misuse

If the testing confirms prohibited concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with negative urine sample.

Record retention

The division shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the division may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver only as expressly authorized by the terms of the drivers request.

Test Procedure

The division shall administer controlled substance tests in accordance with federal laws governing test procedure and testing sites. The division shall take steps to insure proper training and testing procedures are provided.

Legal Ref.: Omnibus Transportation Employee Testing Act of 1991, U.S. Code Title 49, Section 2717, Code of Federal Regulations (C.F.R.), Title 49, Parts 40, 382, 391(H), 395.

Code of Virginia, 1950, as amended, Section 22.1-178

Adopted: May 6, 1996

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained the audit proposals have been submitted and a Board member needed to be appointed to the selection committee.

After discussion, and by consensus of the Board, Mr. Carwile was appointed to serve on the audit selection committee.

Mr. Paulette next asked Mr. Brian Wishneff to appear before the Board and present his draft economic development document to the Board.

Mr. Wishneff began by explaining the reason he was hired was to look at the possibilities, cost, etc. of developing an industrial development site. Mr. Wishneff continued by giving a lengthy briefing on his findings.

After Mr. Wishneff's presentation, Mr. Paulette called for an executive session to discuss site specific information gathered by Mr. Wishneff.

Mr. Moore made a motion at 9:45 p.m. seconded by Mr. Carwile to enter into executive session. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

At 11:30 p.m., Mr. Moore made a motion seconded by Mr. Carwile to return to regular session. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

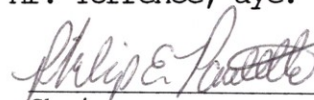
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote:

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that if anyone had questions or comments after reviewing Mr. Wishneff's draft document, to have Mrs. Ferguson contact Mr. Wishneff.

At 11:25 p.m., being nothing further, Mr. Bosiger made a motion seconded by Mr. Torrence to recess until 9:00 p.m. May 11, 1996 at the Community Center. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on May 11, 1996 at 9:00 a.m. at the Community Center, Route 460 East, Appomattox, Virginia.

Present (Board of Supervisors):

Philip E. "Gus" Paulette, Chairman, Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Appomattox Town Council):

Ronnie Spiggle - Mayor
R. L. "Dick" Bass
Steve Lawson
Jimmy Mayberry
Sammy Carter

Absent (Appomattox Town Council):

Marvin Mitchell
R. W. "Bobby" Mitchell

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order and gave the invocation.

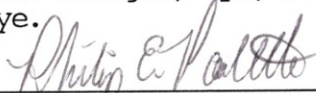
Mayor Spiggle stated the purpose of the joint meeting was to discuss plans for developing an industrial site.

Mr. Paulette briefed the Town Council on Mr. Brian Wishneff's report to the Board of Supervisors.

Supervisors and Council Members reviewed the assets and liabilities of the Town and County. Various options for providing infrastructure to a site were discussed at length.

After a very informative and productive work session it was agreed to form a committee of two (2) Board members, two (2) Council members, the Mayor and County Administrator to formulate a plan for moving towards an industrial development site. The Committee would formulate a plan to present to the governing bodies for final approval.

At 11:15 a.m. Mr. Moore made a motion seconded by Mr. Torrence to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.



Chairman

A public hearing of the Appomattox County Board of Supervisors was held on May 13, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order at 7:00 p.m. and stated the purpose of the hearing was to receive public comment on the proposed budget for FY97. Mr. Paulette then stated the procedure for addressing comments to the Board and called for comments.

Mr. William McDearmon came forward and stated his address as Route 719, Appomattox, Virginia. Mr. McDearmon stated he applauded the Board's decision to cut the School Board's budget request. Mr. McDearmon stated he would not like to see educational programs cut in order for teachers to get a salary increase. Mr. McDearmon stated he was not in favor of across the board percentage increases. Mr. McDearmon thanked the Board for their time.

Mr. Melvin Herndon came forward and gave his address as Lynchburg, Virginia. Mr. Herndon stated that he was representing the Appomattox County Educational Association. Mr. Herndon continued that the increase in schools budget request included funding for education, renovations, underground tank removal, as well as salary increases. Mr. Herndon encouraged the Board to fully fund the School Board's FY97 budget request.

Ms. Jill Reynolds came forward next and gave her address as Route 1, Appomattox, Virginia. Ms. Reynolds stated she was concerned with the Board of Supervisors lack of concern for education in Appomattox County. Ms. Reynolds informed the Board that education was a team effort. Ms. Reynolds continued that personnel had to be paid competitively if a quality education was to be provided.

Ms. Reynolds encouraged the Board to fully fund the School Board's request.

Ms. Ruth Williamson came forward and stated her address as Route 1102, Pamplin City, Virginia. Ms. Williamson continued that she has lived in the County for nine years. Ms. Williamson continued she teaches in Prince Edward County because they pay more for teachers. Ms. Williamson encouraged the Board to fully fund the School Boards funding request in order to attract and keep good teachers.

Mr. Paulette called for other comments. Hearing none, Mr. Paulette closed the public hearing at 7:12 p.m.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on May 20, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Claude Allen Moore
Jim Sefter
Calvin Tanner
Wayne Lewis
Russell Moore
Robert Johnson
R. W. "Bobby" Mitchell
Elizabeth Edwards
Al Sears

Present (Board of Zoning Appeals):

James Cheatham
Matt Lair
Elizabeth Edwards

Absent (Board of Zoning Appeals):

Clifford E. Harvey
Bruce Drinkard

Also Present:

W. M. Caldwell, Clerk - Planning Commission
Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order at 7:00 p.m. and stated the purpose of the public hearing was to receive comments on proposed zoning petitions.

Mr. Paulette then stated that petition number 96-289 of Grover and Nina Beasley had been withdrawn.

Mr. Paulette asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 96-290 of Jeff L. Crawford for a variance to Paragraph 170-81 of Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel #46(A)52 and located on Route 667 between Route 668 and Route 608. Property is zoned A-1.

Mr. Paulette asked if anyone wished to comment on this petition.

Mr. Jeff Crawford came forward and his reason for requesting this variance was because his property drops off in the rear and, therefore, the rear yard was not the ideal location for his garage. Mr. Crawford asked for a favorable decision on his request.

Mr. Paulette asked for other comments on this petition. Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 96-291 of Mr. Charles Griffin for a Conditional Use Permit for Home Occupation (Sporting Good Sales) within main dwelling. Property is Lot #15, Cedar Knolls Subdivision located on Route 1065 between Route 767 and Dead end. Property is zoned R-1.

Mr. Paulette called for comments on this petition.

Mr. Charles R. Griffin came forward and gave his address as Appomattox. Mr. Griffin stated he was a full time employee with Ericcson and had run a small business in his home for six years, selling firearms. Mr. Griffin continued that he follows all State regulations in regards to firearms sales. Mr. Griffin continued that the majority of his customers were also employees of Ericcson. He stated that his operation was very "low key" with no signs located in his yard. Mr. Griffin explained that his business was contained inside his residence. Mr. Griffin continued that there was relatively little traffic problem created with this business and that since January 1996 only ten (10) customers had visited his home. Mr. Griffin does not feel his business adversely effects the neighborhood in anyway. Mr. Griffin continued that his sales since January 1996 had been equally divided between safes and guns. Mr. Griffin stated that in his opinion his business was no different than someone selling tupperware and asked for the Board to approve his request.

Mr. Paulette called for other comments.

Mr. Howard Webb came forward next and stated his address as Amherst, Virginia. Mr. Webb stated he was 29 years old and work with Mr. Griffin. Mr. Webb also stated he was a customer of Mr. Griffin's and found Mr. Griffin to be considerate and knowledgeable. Mr. Webb continued that Mr. Griffin promoted safety first when dealing with firearms and that he was well respected among his clientele.

Mr. Paulette asked if anyone else wished to comment on this petition.

Mr. Alfred Sharp came forward and stated his address as Cedar Knolls. Mr. Sharp said that when he was locating here there was no zoning in the County, so in order to find an area with restrictions he located in Cedar Knolls. Mr. Sharp said he did not feel that this residential area was the place for a business. Mr. Sharp also stated their road was a dead end road which meant if someone purchased a gun from Mr. Griffin, they would be coming back by their property to exit the subdivision.

Mr. Sharp said he did not want to be exposed to this situation. Mr. Sharp said that if this request were granted it is setting a precedent

for the entire County. Mr. Sharp urged the Board to give this request careful consideration.

Mr. Paulette asked if anyone else wished to speak.

Mr. Abell Coggins came forward and said he was the second person to build in Cedar Knolls. He felt that this type business locating in a residential area tended to make people feel intimidated. He continued that deed restrictions were in place for all the lots in Cedar Knolls. Mr. Coggins said he was opposed to this request.

Mr. Paulette called for other comments.

Mr. Jesse Dillion spoke next. Mr. Dillion said he had spoken to Mr. Griffin prior to the hearing concerning his request. Mr. Dillion said he was opposed to this request because of deed restrictions. He continued that he wanted to feel safe and have a safe place for his grandchildren to play. Mr. Dillion closed by saying guns concerned him but the business concerned him more. Mr. Dillion urges the Board to say "No" in order to continue the integrity of their community.

Mr. Cecil Deaner came forward and stated he lives in Cedar Knolls. Mr. Deaner said he has grown up around guns and is not afraid of guns. Mr. Deaner noted that Mr. Griffin has been operating this business for six (6) years with no complaints. Mr. Deaner closed that he had no problem with Mr. Griffin continuing his business.

Mr. Paulette called for other comments.

Mr. William Briggs stated his address as Cedar Knolls. Mr. Briggs stated he operates a telephone business from his home. Mr. Briggs said he did not like guns but did not feel his feelings should effect his neighbors.

Mr. Paulette asked if anyone else wished to comment.

Mr. Howard Webb spoke again. Mr. Webb stated Mr. Griffin promotes gun safety. Mr. Webb said he has a safe he purchased from Mr. Griffin to keep his guns in, so they could not be easily stolen.

Mr. Paulette called for other comments.

Mrs. Linda Kitchell came forward and gave her address as Cedar Knolls. Mrs. Kitchell noted her concerns: 1) Mr. Griffin lived at the end of the street, therefore, anyone doing business with him must exit by her residence while in possession of their purchased gun; 2) several children live on this street, ride their bikes, and some of the ladies like to walk; 3) gunshooting goes on day and night and this scares her. Mrs. Kitchell closed by saying she was opposed to this petition because she wanted to keep her neighborhood safe.

Mr. Paulette called for further comments.

Mrs. Elizabeth Dillon came forward and said she had several reasons for opposing this petition. Her reasons were as follows: 1) Mr. Griffin shot 100 rounds up in the air; 2) Mr. Griffin threatened anyone who opposed him with lawsuits or getting even; 3) Mr. Griffin is full of anger. She closed by saying she was not opposed to him as a person but was opposed to him selling guns in the neighborhood.

Mr. Paulette asked if anyone else wished to speak.

Mr. Griffin said that guns sales were only a small portion of his business. He continued that his sales were closely monitored and his guns were kept locked in a safe. He also stated that shooting occurred on property located behind his property which he had no control over.

Mr. Paulette asked if there were other comments.

Mr. Caldwell, Clerk to the Planning Commission stated he had several letters to read into the record.

May 10, 1996

Richard and Teresa Poe
Woodlawn Trail
P O Box 1087
Appomattox, VA 24522

The Appomattox County Planning Commission:

In regard to the Public Hearing on Monday May 20, 1996 concerning the application of Charles Richard Griffin for a Conditional Use Permit for Home Occupation (Sporting Goods Sales), we wish to make known our opposition. Teresa and I will be in Richmond that evening, and, we will be unable to attend this meeting.

We base our opposition on the following:

1) We would like to see the residential environment of Cedar Knolls preserved. As it exists at this time, it is a quiet neighborhood with little traffic. We are concerned that there will be an increase in traffic with the addition of a business. This is important in regard to the number of children in the neighborhood. We have three.

2) Assuming that this proposed business will involve the sale of firearms, we feel that a residential neighborhood is **not** the proper place to locate such a business. This concern is primarily one of safety and security. Having grown up in a family retail hardware business that sold firearms, and, knowing that that business was burglarized on several occasions, primarily for the theft of the firearms, I feel that there is a definite threat to the security of other residences in Cedar Knolls. We feel that the addition of people in this neighborhood solely for the purchase of firearms is not a necessary or welcome addition.

Please take the above concerns into thought when considering this application.

Thank you.

Sincerely,
Richard & Teresa Poe

Mr. & Mrs. James House
State Road 1065
Cedar Knolls
Appomattox, VA 24522

May 20, 1996

Board of Supervisors
P.O. Box 863
Appomattox, VA 24522

Gentlemen:

This is to advise you that we are opposed to the granting of a Conditional Use Permit for home occupation (Sporting Goods Sales), including the sale of firearms, at the residence on lot 15 Cedar Knolls Subdivision.

My home is right across the road from this residence occupied by Mr. Charles Griffin.

My husband James House is on a respirator and I recently suffered a stroke that requires 24 hour, 7 day a week professional care. Therefore, we are unable to attend your meeting on May 20, 1996 at 7:00 p.m.

Please accept this note confirming our objection to this permit.

Witnessed by:
Betty A. Powell
Nurses Aide

Meinu T. House

Mr. & Mrs. Francis V. Preble
Route 5, Box 774
Appomattox, Virginia 24522
804 352-5053

May 16, 1996

Mr. Philip E. Paulette
Board of Supervisors
P.O. Box 863
Appomattox, VA 24522

Dear Mr. Paulette:

We have read in the Appomattox Times-Virginia, Wednesday, May 1, 1996 issue under Legals, 96291, the request by Mr. Charles Richard Griffin to be issued a conditional use permit for home occupation (Sporting Goods Sales) within main dwelling. We are absolutely opposed to any reductions in our restrictions. Our decision to move into our present house was based on the protection that we have in the current zoning code and the neighborhood restrictions.

We enjoy the peace and quite of this neighborhood and know that a business located just down the street will upset that tranquility. Our retirement has been wonderful because we took the time to locate a spot that would create a peaceful atmosphere. Please don't upset that now by granting Mr. Griffin's request.

Sincerely,

Marion & Frances V. Preble.

May 15, 1996

The Appomattox County Board of Supervisors
Appomattox, Virginia 24522

Attn: Mr. Philip Paulette

We are writing in reference to the Zoning Petition Number 96-291. As residents of the Cedar Knolls Subdivision, we are very concerned, not only with the added traffic, but the noise, and the impending threat to our safety.

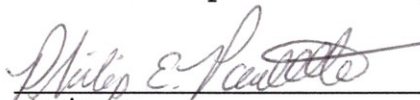
We moved into this neighborhood a few years ago in order to enjoy the peace and quietness that this area affords. Recently, there have been times of rapid gun fire, which sounded as if target practice is being held right in our yards. If this permit is granted to Mr. Charles E. Griffin for Conditional Use for Sporting Goods Sales, our safety as well as the safety of the children and visitors to this area will be jeopardized.

We feel that this type of business should be conducted in the areas set aside for such, and not in our neighborhoods. Therefore any consideration that you can give in reference to our concerns will be very much appreciated.

Thanking you in advance,

Leroy and Abbie Logan
Route 5, Box 772
Appomattox, VA 24522

Being no further petitions, Mr. Paulette closed the public hearing at 7:55 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on May 20, 1996 at 8:00 p.m. after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting and presented the first item for consideration, additional contributions to Concord and Gladstone Rescue Squad.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$2,500.00 to Concord Rescue Squad and \$600.00 to Gladstone Rescue Squad from 11010-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the application to close one entrance at the Vera container site.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to close the entrance next to the old service station at the Vera container site.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to close the entrance next to the old service station at the Vera container site. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mr. Paulette then presented the Police Agreement with the Town of Appomattox for approval.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to enter into the new Police Agreement with the Town of Appomattox. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette told the other Board members that they needed to make appointments to the Town/County Economic Development Committee.

By consensus of the Board, it was agreed for Mr. Carwile and Mr. Bosiger to serve on this Committee.

Mr. Paulette next asked the other members of the Board if they wished to actively pursue participation in a Regional Jail.

After discussion, and by consensus of the Board, it was agreed not to pursue this at this time.

Budget review continued.

After discussion, Mr. Torrence made a motion to reinstate \$104,812.00 to the School Budget.

Mr. Paulette called for a second.

Hearing no second, Mr. Paulette declared the motion "died for lack of a second".

Mr. Moore made a motion seconded by Mr. Torrence to reinstate \$19,018.00 to the School Board's FY97 budget. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for executive session to discuss a legal and personnel matter.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into executive session at 11:16 p.m. to discuss a legal and personnel matter: Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 12:08 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

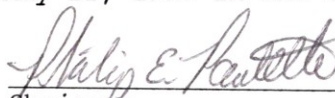
On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Torrence made a motion seconded by Mr. Moore to adjourn until 5:00 p.m. on May 22, 1996 in the Courthouse.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on May 22, 1996 at 5:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
 Garett K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
 Thomas W. Lawson - County Attorney

Mr. Paulette reconvened the meeting at 5:00 p.m. and stated an executive session was in order to discuss a legal and personnel matter.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 5:07 p.m. to discuss a legal and personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 7:30 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented the Auditor Selection Committee's recommendation for Board approval.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to hire Robinson, Farmer, Cox as the County auditors at a cost of \$11,500.00 plus \$1,000.00 for the Cost Allocation Plan. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to offer Mr. Charlie Peterson, Solid Waste Administrator, the opportunity to resign, if he does not choose to resign he will be discharged. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette informed Mr. Peterson that due to information the Board had been made aware of and the incident Mr. Peterson had referred to, the Board felt they would have to make a report to D.E. Q. immediately. Mr. Paulette continued that taking everything into consideration, Mr. Peterson was being given the opportunity to resign from his position with Appomattox County.

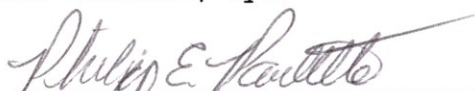
Mr. Peterson asked what his other options were?

Mr. Paulette stated if Mr. Peterson did not choose to resign he would be terminated.

Mr. Peterson chose to resign.

Mr. Paulette told Mr. Peterson to contact Mrs. Ferguson for an appointment to pick-up his personal belongings from the landfill.

Being nothing further, Mr. Bosiger made a motion seconded by Mr. Carwile to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.


Chairman

A public meeting of the Appomattox County Board of Supervisors was held on June 3, 1996 at 6:30 p.m. in the Courthouse, Courthouse Square, North Courthouse, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garland Bosiger - Falling River District
Frank Carwile - Wreck Island District
Rus Moore - Piney Mountain District
Dennis Torrence - Appomattox River District

Also Present:

Aileen Ferguson - County Administrator

May 22/1996

Mr. Paulette called the hearing to order, stated the purpose of the hearing was to receive public comments on the disposal of the old Pamplin School and lot; and stated the procedure for addressing the Board.

Mr. Paulette then asked if anyone wished to comment on this issue.

Ms. Margaret Payne came forward and stated she was the Mayor of Pamplin. Ms. Payne stated Town Council was interested in acquiring this property in order to attract a business to the Town of Pamplin. Ms. Payne thanked the Board for their consideration.

Mr. Paulette called for other comments.

Mr. Lloyd Cobbs came forward and stated he was a member of Zion Baptist Church in Pamplin. Mr. Cobb continued they were interested in a portion of the property behind the old school building being used as a public playground, for children twelve (12) and under. Mr. Cobb stated he had circulated petitions in Pamplin City and received approximately 160 names of people in favor of using this property as a playground. Mr. Cobb also, said he had spoken to Sheriff Staples concerning monitoring the playground and Sheriff Staples had assured him the Sheriff's Department would check this area.

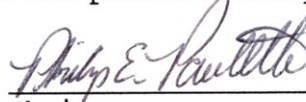
Ms. Susan Hudson came forward and stated her property joined this property. She continued that she was in favor of the old school building being used for something but she does have some concerns which she noted:

- 1.) Basketball goals were a problem. Little children would be playing on the playground and the older children would show up and make them leave;
- 2.) Loud music was being played which bothered her;
- 3.) Trash was being left behind;
- 4.) Cars were parking behind the school after 11:00 at night.

Ms. Hudson continued that she is not in favor of an unsupervised playground. Ms. Hudson thanked the Board for their time.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:46 p.m.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on June 3, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District

Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Moore to give the invocation.

Mr. Paulette called for additions or corrections to the minutes.

Mr. Bosiger made a motion to approve the minutes of the recessed meetings of March 18, 1996, March 25, 1996, April 8, 1996, April 15, 1996, April 22, 1996; regular meeting of April 1, 1996; and public hearing of April 15, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called on Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Ms. Lindsay began by explaining the traffic engineer was recommending a speed limit reduction on Route 601 to 35 MPH. She continued that the recommendation had been sent to Richmond for approval.

Ms. Lindsay asked if the request was also for a speed limit reduction on Route 628.

Mr. Torrence stated he would also like this reduction in speed on Route 628, behind the Exxon, considered.

Ms. Lindsay next informed the Board that State Legislature was supporting a reduction in rail crossings for safety reasons. Ms. Lindsay explained the two (2) crossing, in the County, recommended for closure, were Route 674 and Route 622. Ms. Lindsay stated that VDOT had said the crossing on Route 674 could not be closed because VDOT had just installed gates and lights at this location. Ms. Lindsay then stated she felt it was going to be difficult to keep Route 622 crossing because it's closure would effect such a small number of people.

Ms. Lindsay concluded that the Board was not being asked for a decision tonight, she only wanted to give the Board time to think about this issue.

Mr. Carwile asked Ms. Lindsay the status of the crossover at New Jerusalem Church.

Ms. Lindsay explained the status of the crossover and stated she would look into this and report back to the Board. She also stated the cost of moving the crossover would be at the Church's expense.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her, and called Mrs. Terri Conrad to appear before the Board.

Mrs. Conrad gave an explanation of the Disability Services Board's budget and how the funds are spent. Mrs. Conrad continued by explaining a particular expenditure that had come to the Board's attention at a prior meeting.

Mrs. Conrad then made the Board aware of a new committee that has been formed named CASA (Court Appointed Special Advocate) for children. Mrs. Conrad gave a detailed explanation of how this committee operates and the purpose of this committee.

Mr. Paulette thanked Mrs. Conrad for the information and called Larry Land, Intergovernmental Relations Coordinator, Virginia Association of Counties, to appear before the Board.

Mr. Land began by reading VACO's mission statement in order to explain VACO's purpose to the Board of Supervisors. Mr. Land continued by telling the Board some of the main functions of VACO.

Mr. Paulette thanked and excused Mr. Land and called Tony Bright with Bright and Associates to explain his proposal for a computer upgrade.

Mr. Bright gave an explanation of his proposal and background information on the present system.

A lengthy discussion followed with Mr. Bright answering questions asked by the Board.

After discussion and by consensus of the Board, Mr. Bright was asked to work up a proposal including five (5) personal computers, software, one printer and installation and present to the County Administrator as soon as possible.

Mr. Paulette then thanked and excused Mr. Bright.

Mr. Paulette next asked for Supervisor concerns.

Mr. Carwile requested the Board of Supervisors direct the County Administrator check with the Department of Environmental Quality about applying septage to the closed out landfill areas.

Mr. Carwile, also, asked the status of the Emanuel Tire Company's debt to the County.

Mrs. Ferguson explained that she would have a report on this later in the meeting.

Mr. Carwile then explained he did not want the issue of County vehicles being driven home by employees to become a dead issue. Mr. Carwile asked that Mrs. Ferguson check into all County owned vehicles to see which ones the Board could require to be parked.

By consensus of the Board, Mrs. Ferguson was to look into this matter and return to the Board at the July 1996 meeting with information.

Mr. Paulette then stated he had been approached by Kenneth and Gloria Richardson concerning a subdivision matter. Mr. Paulette continued that the issue was whether brother or sister constituted immediate family under Section 141-6. Mr. Paulette stated the State Code did not recognize brothers and sisters as immediate family and he felt this was not correct. Mr. Paulette explained he had requested Mr. Lawson, County Attorney, to seek a ruling, on this matter, from the Attorney General's Office.

Mr. Carwile then reminded the other members of the Board about a request from Dot Davidson for a dumpster to be placed in Sleepy Hollow Mobile home Park. Mr. Carwile explained he was willing to work with the County to locate a site, if the Board wished to proceed with this request.

The need for satellite sites in various areas, of the County was discussed. Mrs. Ferguson was instructed to have satellite site plans designed to be presented to the Board, at a later date.

Mr. Paulette next asked if the Board wished to take action on the Pamplin School property, from the public hearing.

Discussion followed concerning the need for a playground area in Pamplin City.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to transfer to the Town of Pamplin, the old Pamplin School lot. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

By consensus of the Board, Mrs. Ferguson was instructed to write the Pamplin Town Council, urging them to attempt to locate a playground in the Town of Pamplin.

Mr. Paulette next asked the Board for approval of a road agreement for Holiday Acres Subdivision. Mr. Paulette explained the Planning Commission and the County Attorney had reviewed and accepted this document.

Mr. Moore made a motion seconded by Mr. Bosiger to accept the road agreement for Holiday Acres Subdivision. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Planning Commission recommendations from the May 20, 1996 public hearing.

Mr. Paulette stated the Planning Commission recommended disapproval of petition number 96-291 of Charles R. Griffin.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commissions recommendation on petition number

96-291 of Charles Richard Griffin and deny a Conditional Use Permit for Home Occupation (Sporting Good Sales) within main dwelling. Property is Lot #15, Cedar Knolls Subdivision located on Route 1065 between Route 767 and Dead end. Property is zoned R-1. Vote: Mr. Paulette, nay; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked if anyone had appointments for the Animal Ordinance Review Committee.

Mr. Bosiger stated Mr. Nelson Mann had agreed to serve from the Falling River District

Mr. Paulette next asked Mr. Carwile and Mr. Bosiger for dates to visit Sussex to talk with them concerning water/sewer agreements.

Mrs. Ferguson was provided with several dates.

Mr. Paulette also asked the Board for a date to meet with Brian Wishneff for his summation report.

After discussion, and by consensus, of the Board, June 25, 1996 at 7:00 p.m. in Town Council Chambers, was set for Mr. Wishneff to finalize his report. Mrs. Ferguson was asked to see if Town Council would join us on this date.

Mr. Paulette explained that the Commissioner of Revenue felt that there was a need for the Board of Equalization to meet at least once more.

Mr. Bosiger made a motion seconded by Mr. Torrence for the Board of Equalization to meet one more time and \$350.00 to be transferred, in the FY97 budget, from 11010-5804 operating reserve to the Board of Equalization Budget. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked the Board if they were prepared to adopt the FY97 budget and revenue estimate and adopt the appropriations resolution.

Mr. Carwile made a motions seconded by Mr. Bosiger to adopt the FY97 budget and the Revenue Estimate. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to adopt the following appropriation resolution:

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 1997

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year commencing July 1, 1996 and ending June 30, 1997, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund

1101 Board of Supervisors	505,192.00
1201 County Administrator	135,859.00
1204 County Attorney	15,650.00
1206 Independent Auditor	15,000.00
1209 Commissioner of Revenue	188,556.00
1210 Assessor/Reassessor	0.00
1211 Board of Equalization	0.00
1213 Treasurer	189,069.00
1301 Electoral Board/Officials	17,903.00
1302 Registrar	44,055.00
2101 Circuit Court	13,425.00
2102 General District Court	2,509.00
2105 Juvenile/Domestic Relations Court	5,770.00
2106 Clerk of Circuit Court	48,562.00
2107 Sheriff (Civil Server)	31,556.00
2109 Court Services Unit	6,300.00
2130 Magistrate	700.00
2201 Commonwealth Attorney	132,481.00
3102 Sheriff	890,342.00
3103 Sheriff (Town Police)	72,199.00
3104 Sheriff (Grant)	58,125.00
3106 CADRE Grant	10,000.00
3108 Crime Prevention Grant	39,027.00
3202 Volunteer Fire Departments	64,668.00
3203 Volunteer Rescue Squad	16,700.00
3204 Forestry Service	7,300.00
3301 Sheriff/Jail	117,212.00
3401 Office of Building and Housing	52,464.00
3501 Animal Control	32,713.00
3503 Medical Examiner	500.00
3605 Emergency Services	2,000.00
4101 Road Viewers	75.00
4203 Refuse Collection	44,009.00
4204 Refuse Disposal	273,726.00
4206 Litter Grant	2,889.00
4207 Recycling	19,973.00
4302 General Properties	164,355.00
5101 Local Health Department	89,611.00
5105 Central VA Commission on Aging	3,825.00
5202 Central VA Community Services	25,885.00
5302 State Local Hospitalization	4,511.00
5309 Housing Worker Rental Assistance	18,350.00
5310 Comprehensive Services	41,348.00
6401 Central Virginia Community College	23,338.00
7102 Parks & Recreation Department	60,111.00
7104 Community Center	2,665.00
7109 Contributions	11,500.00
7205 Office on Youth	43,389.00
7301 Public Library	101,856.00
8101 Planning (CVPDC)	3,704.00
8103 Summer Youth	0.00
8104 Zoning	1,200.00
8105 Economic Development	56,030.00

8106 Chamber of Commerce	13,000.00
8111 Board of Zoning Appeals	700.00
8112 Planning Commission	2,200.00
8203 Robert E. Lee Soil & Water Conservation	4,675.00
8303 Extension Services	31,111.00
9203 Commissioner of Accounts	240.00

II. Capital Improvement Fund (Uncommitted)	200,000.00
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III. Virginia Public Assistance Fund	831,775.00
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IV. School Operating Fund	11,965,439.00
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BE IT FURTHER RESOLVED, THAT the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant to this Resolution, as monies become available, and from time to time to meet the expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked the Board to consider two (2) benefits being offered by the Virginia Retirement System.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

RESOLUTION

WHEREAS, the Virginia General Assembly, the Governor, and the Board of Trustees of the Virginia Retirement System recognize the growing liability of all employers participating in the Virginia Retirement System as a result of the current practice of funding annual cost of living increases to retirees on a pay-as-you-go basis; and

WHEREAS, the Virginia General Assembly and the Governor have provided, in the budget for the 1996-98 biennium, funds to reach a level that would fully fund the cost of living increases over a five year period beginning in fiscal year 1998 for state employees and public school teachers; and

WHEREAS, pursuant to their authority as set forth in Section 51.1-145 of the Code of Virginia, the Board of Trustees of the Virginia Retirement System has agreed to allow political subdivisions the option of making contributions beginning in fiscal year 1998 that would either (1) begin to fully fund the cost of living increases for their employees immediately, or (2) to reach a level to fully fund the cost of living increases over a five year period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia:

That it hereby elects to begin to contribute so as to reach a level to fully fund the cost of living increases over a five year period beginning on July 1, 1997.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

The Board of Supervisors next discussed House Bill 901 which allows any VRS member with at least 25 years of service to purchase up to 36 months of credit for active military service or service rendered in the retirement plan of another state.

After discussion, Mr. Torrence made a motion to allow employees the opportunity to buy back service credit as defined by House Bill 901.

Mr. Paulette called for a second to Mr. Torrence's motion.

Hearing none, Mr. Paulette stated the motion died for lack of a second.

The consensus of the Board was for Mrs. Ferguson to gather more information on House Bill 901.

Mr. Paulette next presented appropriation request from Pamplin City Volunteer Fire Department, Appomattox County Rescue Squad, Magistrate, Civil Process Server, Circuit Court, Board of Supervisors, Law Library Fund and School Board.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$550.80 to donate to Prospect Fire Department for the use of a vehicle while Pamplin Volunteer Fire Department vehicle was out of service.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to appropriate \$573.01 to Appomattox Rescue Squad for additional Two-For-Life funds received.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$147.00 to 2130. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate a total of \$1,724.00 to 2107. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$436.00 to 2101 for Compensation of jurors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to appropriate \$149.69 to 1101 from refunds. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$682.00 to 1101 for reimbursable insurance claim. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to appropriate \$234.44 from the Law Library Fund for the month of June, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$90,000.00 from the School Textbook Rental Fund for June 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next read a letter from Mr. Davin Day requesting a waiver of landfill user fees.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to require Mr. Davin Day pay his landfill user fee if he was a resident of the County at the time these fees were incurred. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented landfill gate tickets that Mr. Peterson had told the citizen there would be no charge and asked the Board to waive these fees.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to waive the fees and landfill gate ticket numbers 4395, 3955 and 4111. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Mrs. Ferguson that the County follow the Governor's amended Holiday schedule and give County employees July 5th, 1996 as an additional Holiday.

Mr. Bosiger made a motion seconded by Mr. Torrence to give July 5, 1996 as an additional holiday, as the Governor has done for State employees. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Claude Allen Moore for the wood that has been pushed up at the Stonewall Super Site.

After discussion, and by consensus of the Board, it was agreed that Mr. Claude Allen Moore could have the wood that is at the Super Site at Stonewall.

Mr. Paulette next explained to the Board that the Piedmont Regional Jail is willing to enter into an agreement with Appomattox County to hold our inmates for \$24.00 per day.

After discussion, Mrs. Ferguson was instructed to get with Sheriff Staples and see what details could be worked out on this agreement.

Mr. Paulette presented a request from Mrs. Ferguson for permission to attend Local Government Officials Conference, August 11-13, 1996.

Mr. Moore made a motion seconded by Mr. Torrence to approve expenses for Mrs. Ferguson to attend Local Government Officials Conference. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Appomattox Pentecostal Holiness Church for the use of the Courtland field for a fund raiser.

Mr. Bosiger made a motion seconded by Mr. Moore to allow Appomattox Pentecostal Holiness Church the use of the Courtland field. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained the landfill budget has been overextended and requested the Board allow bills to be paid from 4203 container site repair and maintenance, for the remainder of FY96.

Mr. Carwile made a motion seconded by Mr. Bosiger to pay bills from 4203 container site repair and maintenance for the remainder for FY96. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called for a motion to enter into executive session to discuss a legal and personnel matter.

Mr. Moore made a motion seconded by Mr. Bosiger to enter into executive session at 10:29 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence, seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 11:20 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

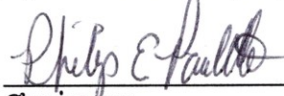
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in

conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a 7% increase for Frank Smith, effective July 1, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Bosiger to adjourn until after the public hearing on June 17, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, and the Appomattox County Board of Zoning Appeals was held on June 17, 1996, at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears
R. W. Mitchell
Wayne Lewis
Robert Johnson
Elizabeth Edwards
Calvin Tanner
Russell Moore

Absent (Planning Commission):

James Sefter
Charles Smith
Claude A. Moore

Present (Board of Zoning Appeals):

James Cheatham

Cliff Harvey
Elizabeth Edwards

Absent (Board of Zoning Appeals):
Matt Lair

Also Present:
Aileen T. Ferguson

Mr. Paulette called the public hearing to order at 7:00 P.M., stated the purpose of the public hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments.

Mr. Paulette then read petition number 96-292 of Chuck Webber for a variance to paragraph 170-81, Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel #91 (A) 27 and is located on Route 620 between Route 460 and Route 709. Property is zoned A-1.

Mr. Paulette called for comments on this petition.

Hearing none, Mr. Paulette read petition number 967-293 of Oakville Ruritan Club for a Conditional Use Permit to allow community center (Ruritan Club) in V-1 district. Property is Tax Map Parcel 38 (A) 73A and is located on Route 608 between Route 26 and Route 712.

Mr. Paulette called for comments on this petition.

Mr. Tom Pankey came forward and stated he was Chairman of Buildings and Grounds for Oakville Ruritan Club. Mr. Pankey continued that their purpose was to provide better facilities for the Ruritan Club and the people in the community. Mr. Pankey explained that activities would not continue past 8:00 P.M.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette read petition number 96-294 of Brenda P. McGann for a Conditional Use Permit to allow mobile home in V-1 District. Property is Tax Map Parcel #41 (A) 72 and is located on Route 24 between Route 655 and Route 616.

Mr. Paulette called for comments on this petition.

Hearing none, Mr. Paulette read petition number 96-295 of Jeffrey W. Bechtel to rezone property from A-1 to B-1 and Conditional Use Permit to expand existing furniture component manufacturing shop. Property is located on Route 610 between Route 609 and Route 670 and is Tax Map Parcel #46 (2) 55.

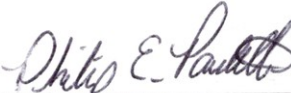
Mr. Paulette called for comments.

Mr. Bechtel came forward and stated he planned to expand his business. Mr. Bechtel stated he had spoken with some of his neighbors and they could see no cause for concern. Mr. Bechtel continued that his

business did not create noise, smoke nor any type waste material that would cause concern.

Mr. Paulette called for other comments on this petition.

Hearing none and there being no further petitions, Mr. Paulette closed the public hearing at 7:10 P.M.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on June 17, 1996 at 7:50 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette reconvened the meeting and stated the first item on the agenda was a request by Kenneth and Gloria Richardson for a sub-division exemption on a parcel of property owned by Mr. Richardson's brother.

Mr. Paulette continued that he had requested the County Attorney research the ordinance and see if the Richardson's request could be granted. Mr. Paulette asked Mr. Lawson, County Attorney, what he had found.

Mr. Lawson began by pointing out section 141.9. of the Appomattox County Subdivision Ordinance. This section explains the authority of the agent and also gives the Board of Supervisors the right to over-ride the recommendation of the agent.

Mr. Lawson continued by explaining that this section gave the Board the authority to change any decision the sub-division agent made. Mr. Lawson cautioned the Board that in the event they were to exercise this option, they should carefully document their decision with specific reasons why the situation is different in this case. Mr. Lawson also

pointed out that section 141.6. stated if it is not in conflict with the general meaning and purpose of the chapter.

Discussion followed.

After the discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to over-rule the agents decision and approve the division of a parcel of land (5 acres) from Randolph Richardson, to Kenneth and Gloria Richardson without meeting the requirements of the sub-division ordinance for the following reasons:

- 1). family division (brothers)
- 2). not in conflict with the general meaning and purpose of the ordinance and
- 3). it's located in a rural section the County.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the issue of the front loader truck and the 4 cu. yd. containers and whether the County would continue use of this vehicle.

After a lengthy discussion, Mrs. Ferguson was instructed to report back to the Board, with the number of tons that are being recycled and how the businesses were approached about locating these containers.

Mrs. Ferguson requested permission from the Board to sell the 4 cu. yd. containers that are no longer in service.

After discussion, by consensus of the Board, it was agreed to sell any of the 4 cu. yd. containers that we do not intend to use.

Mr. Paulette explained that VDOT recommended the County scarify the entrance into the Vera site prior to VDOT placing the post to close the entrance.

After discussion, and by consensus of the Board it was agreed to take several loads of dirt to Vera and place in the roadway.

Mr. Paulette next requested a motion to encumber the balance remaining in the FY96 Budget in 4203-3010.

Mr. Bosiger made a motion seconded by Mr. Moore to encumber funds from FY96 in the amount of \$67,474.00 to pay for the Route 608 "Super Site" and begin work on the Route 648 "Super Site". Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented for action House Bill 901 and asked if the Board wished to offer this option to it's employees.

After discussion, Mr. Moore made a motion seconded by Mr. Carwile to elect NOT TO ALLOW it's employees who otherwise qualify to purchase up to 36 months of service for retirement purposes for military and/or out of state service, the option to purchase this service credit. Vote:

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then brought to the Board's attention a proposal from Tony Bright for upgrade to the present computer system.

Mrs. Ferguson explained this item would need to be bid according to procurement procedures.

Mr. Paulette asked if anyone had any further business.

Mr. Torrence asked Mrs. Ferguson to contact VDOT concerning a dangerous culvert just below Kelso's on Route 460 at Evergreen.

Mr. Paulette then explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into executive session at 8:30 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:33 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

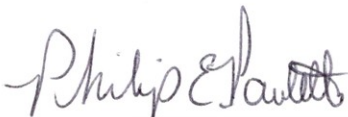
On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn until June 25, 1996 at 7:00 p.m. in Town Council Chambers. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on June 25, 1996 at 7:00 p.m. in Town Council Chambers, Linden Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Absent (Board of Supervisors):

Dennis W. Torrence - Appomattox River District

Present (Town Council):

Ronnie Spiggle - Mayor
Sammy Carter
Jimmy Mayberry
R. L. "Dick" Bass - Vice Mayor
R. W. "Bobby" Mitchell
Steve Lawson
Marvin Mitchell
Rick Pack, Incumbent Councilman

Also Present:

Aileen T. Ferguson - County Administrator
Bobbie J. Mullins - Executive Assistant, Town Council

Mr. Paulette opened the meeting at 7:00 p.m. and asked Mayor Spiggle to deliver the invocation.

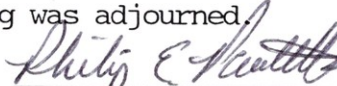
Mr. Paulette then welcomed everyone present, introduced Mr. Brian Wishneff, and asked Mr. Wishneff to provide background information for Town Council on the Economic Development Plan.

Mr. Wishneff gave a detailed review of his Economic Development Plan for Appomattox and presented what, in his opinion, were the first steps necessary in implementing this plan.

In closing, Mr. Wishneff answered questions and urged the group to move forward with their plans.

Mr. Paulette explained the Committee appointed by the Town and County would now get together and formulate a plan to present to the governing bodies for approval.

Being no further discussion, the meeting was adjourned.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on July 1, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. "Gus" Paulette, Chairman - Courthouse District
 Garet K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
 Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and asked Mr. Carwile to give the invocation.

Mr. Paulette called for additional and/or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of April 22, 1996; May 13, 1996; May 20, 1996; June 3, 1996; June 17, 1996; the regular meetings of May 6, 1996; and June 3, 1996; the recessed meetings of April 19, 1996; May 11, 1996; May 20, 1996; May 22, 1996; and June 17, 1996 as submitted. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Ms. Lindsay would not be present at the Board meeting but if anyone had questions or concerns to relay them to Mrs. Ferguson and she would contact Ms. Lindsay.

Mr. Torrence asked if Mr. Ronald Franklin could address the Board.

Mr. Paulette recognized Mr. Franklin.

Mr. Franklin came forward and read the following:

July 25, 1996

To Whom It May Concern:

I, Ronald Franklin and the residents of Routes 1111 and 1112 of Pamplin, would like to thank the Board of Supervisors, VDOT, and any other remaining contributors to the resurfacing of the previously mentioned highways. The services that were rendered have been greatly appreciated.

Thanks Again!

Ronald E. Franklin
 Mrs. Carrie L. Briggs
 Helen Walker
 Emanuel Walker
 Mary Franklin
 Frank Robertson

Joan W. Franklin
 Shannon J. Franklin
 Gladys Y. Barnes
 Courtney Franklin, Jr.
 Harold F. Harvey
 Anna S. Robertson

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile mentioned several items of concern and cautioned the Board not to allow these items to become dead issues.

Mr. Paulette next began with the first Administrative Item, Planning Commission Vacancy.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to appoint Kevin O'Brien to replace Mr. Charles Smith on the Planning Commission for a term to expire June, 2000. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked that Central Virginia Planning District Commission be appointed to administer funds for the Indoor Plumbing/Rehabilitation Loan Program for Appomattox County.

Mr. Moore made a motion seconded by Mr. Bosiger to appoint Central Virginia Planning District Commission to administer the Indoor Plumbing/Rehabilitation Loan Program for Appomattox County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from "Wet Paint" that landfill fee's be waived, due to additional work being required at the Commission of Revenue's Office.

After discussion and by consensus of the Board, it was decided "Wet Paint" pay their landfill fees and submit a bill for the additional work done, with an explanation.

Mr. Paulette presented appropriation requests from the Landfill, Virginia Institute of Government, Athletic Fund, Law Library, and Courthouse Maintenance Fund.

After discussion and by consensus of the Board it was requested that Mrs. Ferguson contact Carter Machinery to see if we have to use Carter Machinery for repairs to the 973 due to our contract with them.

Mr. Paulette presented the membership statement for the Virginia Institute of Government. After discussion, no action was taken to join this group.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$10,594.31 for the month of July 1996 from the Athletic Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$5,598.37 from VSPA Loan (SNAP) for the Athletic Complex and \$31,740.00 from VSPA Loan (SNAP) for Middle School Renovations. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$107.11 from the Law Library Fund for the month of July 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$2,220.00 from the Courthouse Maintenance Fund for the month of July, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Sheriff Staples for a line item transfer of \$1,968.00 from 1101-5804 to 3104-1003 for additional funds received on a grant.

Mr. Torrence made a motion seconded by Mr. Bosiger to transfer \$1,968.00 from 1101-5804 to 3104-1003. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the Board with a request from Region 2000 Board of Directors for an appointment to replace John Caldwell.

After discussion, and by consensus, the Board agreed to ask Mr. Bruce Cowan to serve on the Region 2000 Board of Directors replacing Mr. John Caldwell.

Mr. Paulette next presented the Planning Commission Recommendations from the June 17, 1996 public hearing for consideration.

Mr. Moore made a motion seconded by Mr. Torrence to approve Petition 96-293 of Oakville Ruritan Club for a Conditional Use Permit to allow community center in V-1 district. Property is Tax Map Parcel 38 (A) 73A and is located on Route 608 between Route 26 and Route 712. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

After discussion and by consensus of the Board, Petition 96-294 of Brenda P. McGann was tabled until access to the property could be determined.

Mr. Moore made a motion seconded by Mr. Torrence to approve Petition 96-295 of Jeffery W. Bechtel as amended, for Conditional Use Permit to expand his existing business located on Route 610 between Route 609 and Route 670 and is Tax Map Parcel 46 (2) 55. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Clarence Rosser that his commercial hauler fees be waived.

After discussion and by consensus of the Board, Mr. Rosser's request was denied.

Mr. Paulette next presented a request from O. W. Martin for an easement to cross County property located at old Oakville School.

Mr. Moore made a motion seconded by Mr. Torrence to grant an easement to cross County property located at old Oakville School with power line. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if anyone had anything further to discuss.

Mr. Torrence stated he was concerned with the traffic situation at the Shoppes at Appomattox and felt the Board needed to continue to look into this.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to request Virginia Department of Transportation do another traffic count to see if a light is justified at the Shoppes at Appomattox. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained a motion was needed to enter into executive session to discuss a legal matter.

Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session at 7:40 p.m. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:05 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

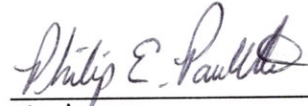
On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

At 9:07 p.m., being no further business, Mr. Torrence made a motion seconded by Mr. Bosiger to adjourn until July 15, 1996 after the public hearings. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on July 15, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Calvin Tanner
James Seftor
Kevin O'Brien
Robert Johnson
Wayne Lewis
Russell Moore
Al Sears - Chairman

Absent (Planning Commission):

S. E. Carter
Claude A. Moore
Elizabeth Edwards

Present (Board of Zoning Appeals):

Matt Lair
Cliff Harvey
Bruce Drinkard
James Cheatham

Absent (Board of Zoning Appeals):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson - County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the public hearing to order, stated the purpose of the hearing was to receive public comments on a zoning petition.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission to read the petition.

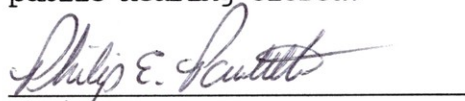
Mr. Caldwell read petition 96-296 of Darrell W. Litchford for a Variance to paragraph 170-81 Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel 34 (1) 14 and is located off Route 611 between Route 670 and Route 721. Property is zoned A-1.

Mr. Paulette called for comments on this petition.

Mr. Darrell W. Litchford came forward and gave his address as 687 Chestnut Mountain Drive, Lynchburg, VA. Mr. Litchford continued by saying due to the geography of his lot there was really no way to place this garage in the rear yard of his property. Mr. Litchford asked that his request be approved.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette declared the public hearing closed.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, Pamplin City Town Council and the Appomattox County Planning Commission was held on July 15, 1996 at 7:05 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Mr. Philip E. Paulette, Chairman - Courthouse District
Mr. Garett K. Bosiger - Falling River District (Late)
Mr. Frank H. Carwile - Wreck Island District
Mr. Russell H. Moore - Piney Mountain District
Mr. Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Calvin Tanner
James Seftor
Kevin O'Brien
Robert Johnson
Wayne Lewis
Russell Moore
Al Sears, Chairman

Absent (Planning Commission):

S. E. Carter
Claude A. Moore
Elizabeth Edwards

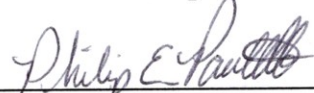
Also Present:

Aileen T. Ferguson, County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette stated the purpose of the public hearing was to receive comments on the proposed updated Comprehensive Plan.

Mr. Paulette stated the procedure for addressing comments and then asked if anyone wished to comment on the updated plan.

Hearing no comments, Mr. Paulette declared the public hearing closed.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on July 15, 1996 at 7:15 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Russell H. Moore - Piney Mountain District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting and explained that bids had been received on the computer request for proposal. Mr. Paulette continued that only one bid had been received on the IBM 9401-400 RISC AS/400. Mr. Paulette stated the amount of the bid was \$36,000.00 and it was submitted by Bright and Associates, Inc.

Mr. Paulette explained that two bids were received for Part II, the personal computers, etc. One bid from Bright & Associates, Inc. in the amount of \$11,955 and a bid from Rose Computer & Network Solutions in the amount of \$14,652.33.

A lengthy discussion followed.

After discussion, and by consensus of the Board, Mr. Paulette and Mr. Bosiger were asked to meet with Mr. Bright to get some answers to questions that the Board had concerning the life of the proposed system.

Mr. Torrence made a motion seconded by Mr. Moore to accept Brights proposal to upgrade to the IBM 9402-400 RISC AS/400 at a cost of \$36,000.00.

Mr. Torrence made an amendment to his original motion seconded by Mr. Moore to allow Messers. Paulette and Bosiger to negotiate with Bright & Associates, Inc. on part II of the RFP, and make a final decision.

Mr. Paulette stated a vote would be taken on the amendment to the original motion. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called for a vote on the original motion. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented requests from the Treasurer and Registrar that their expenses be paid to LGOC.

Mr. Bosiger made a motion seconded by Mr. Moore to pay expenses for the Treasurer and Registrar to attend LGOC. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented the request by Mrs. Brenda McGann for Conditional Use Permit. Mrs. Ferguson explained the request had been tabled until Mrs. McGann could get an easement recorded to her property. Mrs. Ferguson explained this had been taken care of and asked the Board to approve Ms. McGanns request.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition 96-294 of Brenda P. McGann for a Conditional Use Permit to allow mobile home in V-1 district. Property is Tax Map Parcel #41 (A) 72 and is located on Route 24 between Route 695 and Route 616. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next presented a quote on a maintenance contract for the new phone system at the Sheriff's Department.

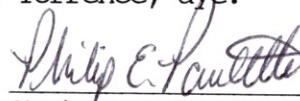
After discussion and by consensus of the Board it was decided not to sign the maintenance contract with GTE.

Mr. Paulette presented a request from the Appomattox Youth Association for a donation to help pay expenses to the State Tournament for the 14 year old boys.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to transfer \$500.00 from 1101-5804 to 7109-5605. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore stated he had spoken with Mr. Clayton Martin and Mr. Martin has agreed to serve on the Animal Ordinance Review Committee representing Piney Mountain District.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on August 5, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Russell H. Moore, Vice-Chairman - Piney Mountain District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Also Present:

Ms. Aileen T. Ferguson, County Administrator
Thomas W. Lawson, County Attorney

Mr. Paulette called the meeting to order and asked Mr. Bosiger to deliver the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Moore made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of July 1, 1996; joint meeting of June 25, 1996; public hearings of July 15, 1996 and recessed meeting of July 15, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye, Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mr. Paulette then asked Mr. Don Austin, Assistant Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Mr. Austin began by explaining that a traffic count had been taken on Route 622 at the railroad crossing and there were fourteen (14) vehicles per day. He continued that he felt this crossing would be closed due to the low traffic count. Mr. Austin continued that a public hearing would be necessary in order to close the crossing.

The Board of Supervisors instructed Mr. Austin to go ahead with scheduling the public hearing.

Mr. Torrence stated there was a speed problem on Route 1111 and 1112 and that he would like to request the speed limit be reduced to 25 miles per hour.

Mr. Austin stated he would send the request to traffic engineering for study and recommendation.

Several other areas of concern were mentioned and then Mr. Paulette thanked and excused Mr. Austin.

Mr. Paulette next asked the members of the Electoral Board to appear before the Board.

Mr. Joe Foxwell and Mr. Dick Wingfield appeared before the Board and presented each member with several handouts. Mr. Foxwell then requested the Board of Supervisors approve the Electoral Boards request

to move the Courthouse Precinct from the Courthouse Building. Mr. Foxwell continued by stating he had spoken with Dr. Thomas and there was no objection to using the conference room.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore for County Attorney, Thomas Lawson, to proceed with the process to move the Courthouse voting precinct from the Courthouse to the Courtland Building Conference room. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Foxwell then requested the Board of Supervisors approve an additional \$450.00 to their budget to pay Mr. Gene Barnes to train the new voting machine technicians.

Mr. Bosiger made a motion seconded by Mr. Moore to transfer \$450.00 from 1101 to 1301-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further for Messers. Foxwell and Wingfield, Mr. Paulette thanked and excused them.

Mr. Paulette next called Mr. & Mrs. Richard Stein and Mr. Bill Houchens to appear before the Board.

Mr. Houchens began by explaining the background of Wolf Creek Estates, located off Route 627. Mr. Houchens explained that Wolf Creek Estates had originally been platted from a topographical map and that no ground survey work had been done. Mr. Houchens continued that when the actual ground survey was done, Mr. Stein did not own what his original plat indicated.

Mr. Stein then explained to the Board of Supervisors that he was requesting approval to record a deed and plat of correction so that he, in fact, would own what he thought he had purchased. Mr. Stein continued that when he took the amended plat in for approval, he was told that by adjusting the acreage on two (2) lots in order to make his lot correct, this constituted a subdivision of property that did not meet the requirements of the Subdivision Ordinance.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve the plat of Wolf Creek Estates, Lots 15, 16, 21, 22 and 23, as amended January 9, 1995. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused the Steins and Mr. Houchens and called Tracy Chernault, President, Appomattox County Historical Society, Inc. to appear before the Board.

Mr. Chernault stated he was attending the meeting on behalf of the Appomattox County Historical Society and he wished to make several requests of the Board of Supervisors. Tracy stated his first request was for the Board to install heat in the "Old Jail" building. Mr. Chernault explained the Historical Society's goal was to open the museum year round and this required a minimum amount of heat to make

the building tolerable during the winter months. Mr. Chernault continued the second request was for the Board to contribute funds towards paying workers to man the museum. Mr. Chernault stated their volunteers were paid \$5.00 per hour to help defray their cost, and he was requesting a contribution of \$1,000.00 to help defray these costs to the Historical Society.

Mr. Bosiger asked if Mr. Chernault had checked out the electric service in the museum to see if it could support baseboard heat.

Mr. Chernault explained he had not.

Mr. Paulette stated he felt the Board of Supervisors should take a look at the feasibility of making improvements to the building prior to upgrading the heat. Mr. Paulette continued he thought there were problems with the roof.

Mr. Moore asked the number of people who visited the museum.

Mr. Chernault stated he felt those numbers would be around fifty (50) people per day. Mr. Chernault stated the fee for touring the museum was \$2.00 per adult and \$1.00 per child.

Mrs. Ferguson asked Mr. Chernault if he would say they brought in \$100.00 per day?

Mr. Chernault stated he thought fifty (50) people per day might be a little high because they had been bringing in approximately \$300.00 per week.

Mr. Carwile asked if the Historical Society had considered moving the contents of the museum to the Visitor's Center.

Mr. Chernault said they had not looked into that possibility.

After further discussion, and by consensus of the Board, Mrs. Ferguson was asked to look into what would need to be done in order to put heat into the "Old Jail".

Mr. Paulette thanked and excused Mr. Chernault.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile asked the status of the Animal Control Ordinance Review Committee.

Mrs. Ferguson explained that she needed names from Mr. Torrence and Mr. Paulette.

Mr. Torrence asked if Mrs. Ferguson would contact Mr. Charles Torrence to see if he would be willing to serve.

Mr. Paulette stated he would continue to try to come up with an appointment.

Mr. Bosiger then gave a report to the other Board members of the activities of the Joint Town/County Economic Development/Tourism Group.

After his report, Mr. Bosiger explained the committee would be meeting with various business leaders and possibly having to travel to some degree. He continued by requesting a sum of money be appropriated to the committee to help with these expenses.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve a line item transfer of \$1,000.00 from 1101-5804 to 8105-5504. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for any other concerns.

Mr. Torrence requested Mrs. Ferguson have Mr. Martin mow and weedeat at the Route 620/622 Super Site and also at the Vera site.

Mr. Paulette next moved to Administrative Items. Mr. Paulette explained the public hearing had been held on the proposed update to the Comprehensive Plan and asked if the Board was prepared to adopt the revised plan.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the revised Comprehensive Plan with maps to follow. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore; and Mr. Torrence, aye.

Mr. Paulette next explained there were committee appointments that needed to be made to the Youth Services Commission, CVAAA Board of Directors and CVAAA Advisory Council.

Mr. Bosiger made a motion seconded by Mr. Torrence to reappoint Ben Mawyer to the Appomattox County Youth Services Commission for a term to expire May 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to reappoint Mr. Moore to the CVAAA Board of Directors and Mr. Fenimore to the CVAAA Advisory Council with terms expiring September 1999. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the Cornerstone Baptist Association for a formal acknowledgment to be presented, at their annual celebration.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, The Cornerstone Baptist Association, it's 117th Annual session; and

WHEREAS, the Cornerstone Baptist Association represents over thirty Churches in the localities of Appomattox County, Campbell County, Charlotte County, Halifax County and the City of Lynchburg; and

WHEREAS, the Appomattox County Board of Supervisors recognizes the goals of the Cornerstone Baptist Association to be beneficial and worthy of honorable recognition.

NOW THEREFORE, BE IT RESOLVED, the Appomattox County Board of Supervisors commends the Cornerstone Baptist Association for their efforts in Appomattox County, as well as, the surrounding localities. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the proposed Memorandum of Understanding with Emanuel Tire Company concerning tire chip reimbursement.

After discussion, and by consensus of the Board, it was decided to hold this item until further information could be obtained.

Mr. Paulette then presented convention request from the Recreation Director and Commissioner of Revenue and training for Tommy Gobble.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve convention expenses for the Recreation Director. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to pay convention expenses for the Commissioner of Revenue and one (1) deputy to attend LGOC. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Carwile to approve expenses for Mr. Gobble to attend the Landfill Operators Basic Training Course. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next directed the Board's attention to a livestock damage claim by Mr. Wayne Phelps.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to pay the livestock damage claim for Mr. Wayne Phelps. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented supplemental appropriation requests from the Ballpark Fund, Law Library Fund and the Textbook Rental Fund.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$682.50 from the Ballpark Fund for the month of August, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$100,000.00 from the Textbook Rental Fund for 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the requested information from Wet Paint on the additional painting done in the Commissioner of Revenue's Office.

After review and discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to approve an additional \$470.00 to pay Wet Paint and make the appropriate line item transfer to cover this expense. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the Appomattox County Youth Association for a \$5,000.00 donation.

After discussion, and by consensus of the Board, it was agreed that specific requests would be considered for FY97 and the Youth Association could request funding at budget time for FY98.

Mr. Paulette next presented line item transfer requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to transfer \$1,165.00 from 1101-5804 to 2109-5413. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve a line item transfer from 1101-5804 to 1101-3002 for parking area to Stonewall Voting Precinct. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to transfer \$30.00 from 1101-5804 to 3102-3012. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to transfer \$9,725.13 from 1101-5804 to 1201-7003 to pay for annual computer lease. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented the delinquent tax list and asked if the board wished to publish the list again this year.

After discussion and by consensus of the Board the issue of publishing the delinquent tax list was continued until the September 1996 meeting.

Being no further Administrative Items, Mr. Paulette explained that an executive session was necessary to discuss legal and personnel matters.

Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session at 9:23 p.m. to discuss a legal and personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 10:22 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger the following resolution was adopted:

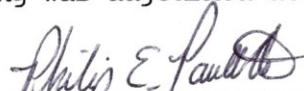
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business the meeting was adjourned at 10:23 p.m.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on August 19, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA

Present (Board of Supervisors):

Russell H. Moore, Vice-Chairman - Piney Mountain District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent (Board of Supervisors):

Philip E. Paulette - Courthouse District

Present (Planning Commission):

James C. Seftor

Russell H. Moore
Samuel E. Carter
Al Sears
Calvin Tanner
Wayne Lewis
Robert Johnson

Absent (Planning Commission):

Claude A. Moore
Kevin O'Brien
Elizabeth Edwards

Mr. Moore opened the hearing, stated the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments.

Mr. Moore then asked Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 96-297 of Robert Fleshman to rezone property from R-1 to R-2. Property is Tax Map Parcel 87-A-98 and is located on Route 604 between Route 645 and Route 679.

Mr. Moore called for comments regarding this petition.

Mrs. Nancy Watkins came forward and stated she and Mr. Fleshman wished to change the zoning on their property to allow for a double-wide mobile home to be placed on their property. Mrs. Watkins stated that her neighbors were not opposed to this change.

Mr. Moore called for other comments.

Hearing none, Mr. Moore asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 96-298 of Clarence Woody to rezone property from R-1 to R-2. Property is Tax Map Parcel 87C-1-5 and 87C-1-6 and is located on Route 647 between Route 670 and Route 728.

Mr. Moore called for comments on this petition.

Mr. Clarence Woody came forward and gave his address as Route 1, Box 8C, Spout Spring, Va. Mr. Woody began by introducing members of his family and neighbors who had attended the meeting with him in support of his petition. Mr. Woody then presented the Board with the following letter.

July 25, 1996

To Whom it May Concern:

We the undersign of Percy Thompson Subdivision as property owners have no objection to Clarence Woody rezoning his property from R-1 to A-1?, R2.

Mike Oliver- Rt. 1, Box 1044 - Spout Springs, VA 24593

Lot #3, 352-8638

Melvin Hamilton - Rt 1, Box 1034 - Spout Springs, VA 24593

Lot #1, 352-7901

Brenda Hamilton - Rt 1, Box 1034 - Spout Springs, VA 24593
Lot #1, 352-7901

Clarence Woody - Lots #5 and #6, adjoining Billy Thompson Land
Phone 352-2183

Bertha Woody - Rt 2, Box 1054 - Spout Springs, VA 24593
Lots #5 and #6,

Gracie Kennon - Rt 1, Box 1039 - Spout Springs, VA 24593
Lot #2, 352-2615

Mr. Woody stated he was requesting the zoning change in order to place a mobile home on his property.

Mr. Woody continued that if any of the Board members had questions he would be happy to answer them.

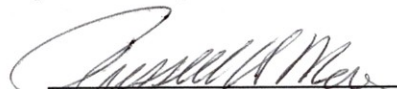
Mr. Carwile asked Mr. Woody which lot he proposed putting the mobile home on?

Mr. Woody stated he planned to put his mobile home on lot 5.

Some discussion followed concerning the lot size requirements in R-2 and A-1.

Mr. Moore called for other comments.

Hearing none and being no further petitions, Mr. Moore closed the public hearing.


Vice-Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on September 3, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore, Vice-Chairman - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Thomas W. Lawson - County Attorney
Aileen T. Ferguson - County Administrator

Mr. Paulette called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the minutes of the regular meeting of August 5, 1996 and the public hearing of August 19, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Ms. Lindsay came forward and presented each Board members with several handouts.

Ms. Lindsay explained the first handout was a resolution to take in 0.34 miles of Woodland Road and 0.134 of Oak Lane in Wildwood Subdivision into the Secondary Road System. Ms. Lindsay explained that all requirements of the State and County had been met.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form SR-5 (A) to the Appomattox County Secondary Road System for maintenance the following subdivision road which has been constructed by the subdivider as a Class "A" subdivision in accordance with the requirements of Section 33.1-229, Code of Virginia and the Virginia Department of Transportation Subdivision Street requirements; **TO WIT:**

Wildwood Subdivision:

Woodland Road - Beginning at the existing end of State Maintenance, .34 mile South of the intersection of Wildwood Rd., (Rte. 1085) and running to the South for a distance of .32 mile to a Dead End.

Oak Lane - Beginning at the intersection of Woodland Rd. running to the Southeast for a distance of .134 mile to a Dead End.

Total Length - .454 miles

Right of Way - 50 feet

BE IT FURTHER RESOLVED, that this Board guarantees a minimum unrestricted 50-foot right of way with additional widths as may be necessary for cuts, fills and drainage together with easements on adjacent properties.

Recorded in Plat Book 8, Pages 63 & 64, June 26, 1990.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Ms. Lindsay next explained that she had previously brought to the Board's attention the intention of the railroad to abandon crossing located on Route 622. Ms. Lindsay explained the vehicle count, requested by the Board, was complete and the number of vehicles was 13 or 14 per day. Ms. Lindsay continued by explaining the procedure for abandoning this crossover.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, it appears to this Board that the railroad crossing (DOT 467-981K) on Secondary Route 622, serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, The Clerk of the Board is directed to post and publish notice of the Board's intent to abandon the aforesaid crossing of Route 622, pursuant to Section 33.1-151 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Ms. Lindsay next explained that a public hearing was necessary to revise the Six Year Plan; '97-'98 Construction Budget; and the Additions and Improvements to the Secondary Road System.

After discussion, and by consensus of the Board, the Public Hearing on the Route 622 railroad crossing abandonment was scheduled for 6:30 p.m. on November 4, 1996 with the public hearing on the Six Year Plan, etc., at 6:30 p.m. on November 4, 1996.

Ms. Lindsay next explained that the Board had requested a revised signal study at the Shoppes of Appomattox.

Ms. Lindsay explained this study has been completed and when all the information was compiled she would contact the Board about setting up a meeting to review this material. Ms. Lindsay did explain that access roads would have to be funded by funds other than VDOT.

Ms. Lindsay stated her last handouts involved Policy and Procedures for Installation of Signs Advising of Maximum Penalty for Speeding in Certain Residential Districts and Residential Cut-Through Traffic. She continued that she would like for the Board and County Attorney to review these documents prior to the October 1996 meeting when she would request a resolution adopting these policies.

Mr. Paulette asked if anyone had questions for Ms. Lindsay.

Mr. Carwile asked if VDOT would check Route 667, two to three miles off Route 460, about trees leaning over the roadway from the ice storm.

Ms. Lindsay stated she would look into this.

Mr. Carwile next requested the speed limit be reduced on Route 800 at Concord.

Ms. Lindsay explained that had already been studied and does not qualify for reduced speed limit.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her.

Mr. Paulette next called Messers. Wayne Bowman and Greg Winston to appear before the Board.

Mr. Wayne Bowman began by giving a forestry report for the past year. After his annual report Mr. Bowman presented the County with a check in the amount of \$37,791.69.

Mr. Greg Winston then gave an overview of the spring fire season stating that there were 12 forest fires involving a total of nine acres of forest land. Mr. Winston continued with a very interesting report of some of his departments other activities.

Mr. Paulette thanked and excused Messers. Winston and Bowman and called for Supervisor Concerns.

Mr. Carwile asked if the Animal Control Committee was in place?

Mrs. Ferguson stated it was in place as of this date.

Mr. Carwile next stated that he wanted the Board to strongly consider having a new roof put on the jail.

Ms. Ferguson provided background information on the jail roof. Ms. Ferguson also stated that Mr. Moore could provide additional information on this subject.

Mr. Moore explained he had been working to repair the roof and felt they were making progress.

Mr. Carwile next stated he had received comments from the public that they want to see the "old jail" remain open as a museum.

Mr. Carwile, also reminded the Board that he wanted to continue to pursue the spreading of processed sludge on the landfill.

Mr. Paulette asked for other comments. Hearing none, he presented the first administrative item, a request by the County Administrator for increased contribution toward the Blue Cross/Blue Shield premium, for County employees.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to pay \$170.50 on the Blue Cross/Blue Shield premium for County employees. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that an Oversight Committee needed to be appointed for the Indoor Plumbing Rehabilitation program. Mr. Paulette explained three (3) members were needed (one local government representative; one at-large representative and one advocate for low to moderate income citizens.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to appoint the Indoor Plumbing Rehabilitation Oversight Committee as follows: Carolyn Lawson, local government; Eva Moore, at-large; and Al Jones, advocate for low to moderate income citizens. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Historic Appomattox Railroad Festival Board for use of the Courthouse Square and Courtland field for Railroad Festival weekend.

Mr. Bosiger made a motion seconded by Mr. Moore to allow the Historic Appomattox Railroad Festival Board use of the Courthouse Square and Courtland Field for Railroad Festival weekend. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Mrs. Barbara Williams, Circuit Court Clerk for carpet for her office.

After discussion, Mrs. Ferguson was asked to check all the offices to see where needs exist, and report to the Board at a later date.

Mr. Paulette then presented appropriation requests from Courthouse Maintenance, Library Fund, School Board, and the Law Library Fund.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$122.05 from the Courthouse Maintenance Fund for the month of September 19, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$399.84 from the Special Library Fund for the month of September, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve a supplemental appropriation to the School Board in the amount of \$40,062.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$30.49 from the Law Library Fund for the month of September 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented line item transfer requests from Animal Control and Sheriff's Department.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a line item transfer of \$15.00 from 1101-5804 to 3501-5402. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a line item transfer of \$3007.40 from 1101-5804 to 3107-7001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to approve a line item transfer of \$49.00 from 1101-5804 to 3301-3001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request to pay the Animal Warden's expenses to attend a training session.

Mr. Bosiger made a motion seconded by Mr. Moore to approve expenses for the Animal Warden to attend training October 10 & 11, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked if anyone wished to attend VACO's Annual meeting.

No one wished to attend.

Mr. Paulette next asked Ms. Tina Carter and Mr. Tommy Gobble to come forward and present information provided on landfill user fees.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to schedule a public hearing for October 7, 1996 at 6:30 p.m. to receive comments on amending the Solid Waste Ordinance to eliminate the small user fees. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Discussion continued on the use of the 4 cubic yard garbage containers.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to discontinue use of the 4 cubic yard containers and therefore the front end loader trucks. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

The operating hours for the landfill were discussed next. Ms. Ferguson explained that due to their present operating hours, of 7:00 - 5:00, scheduling was becoming a problem.

After discussion, Mr. Bosiger made a motion seconded by Mr. Moore to change the landfill operating hours to 8:00 to 4:30 like all other County offices. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Next the Board of Supervisors discussed having the leachate evaporation pond pumped and hauled, to get the water to a manageable level.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate funds to pump and haul leachate, not to exceed \$12,000.00.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Gobble and Mrs. Carter next discussed the need to haul dirt from the proposed new cell area to Cell "I" to use for cover.

After discussion and by consensus of the Board, it was agreed to pay the employees overtime to accomplish this task.

Mr. Gobble and Mrs. Carter also discussed the use of tire chips as alternative cover material. They explained they felt this was not working out for several reasons: 1) the compaction was not as good as using soil; 3) the wire caused major problems with final drives and 3) the wire caused numerous flat tires on the trucks.

After discussion and by consensus of the Board, it was agreed to discontinue use of tire chips as alternative cover material.

Being nothing further for Mr. Gobble and Mrs. Carter, Mr. Paulette thanked and excused them.

Mr. Paulette next presented a request from the School Board to apply for VPSA loan for the middle school project.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

WHEREAS, the Appomattox County School Board needs \$5,000,000.00 to be used to construct addition and renovate existing building at the Appomattox Middle School.

WHEREAS, the Appomattox County School Board is eligible to receive financing for this construction through the Virginia Public School Authority 1996 Literary Loan Conversion Program, and

NOW, THEREFORE, BE IT RESOLVED, by the Appomattox County Board of Supervisors that the Division Superintendent of Appomattox County Schools is authorized to file on behalf of the school board an application to participate in the VPSA 1996 Literary Loan Conversion Program to finance the construction of an addition and renovation of the Appomattox Middle School.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented Appomattox County's VJCCCA plan for approval.

After review and discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT LOCAL PLAN

WHEREAS, the County of Appomattox agrees to participate in the Virginia Juvenile Community Crime Control Act; and

WHEREAS, participation in the Virginia Juvenile Community Crime Control Act requires a local plan be drawn showing how funds will be expended.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Appomattox County that the plan attached to this resolution is the Virginia Juvenile Community Control Act local plan for Appomattox County and that this Board endorses this plan.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Stonewall Vineyards, Inc. for a Musical and Entertainment Festival Permit for October 26, 1996.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the Musical and Entertainment Festival Permit for Stonewall Vineyards, Inc. for October 26, 1996, and waive the bond requirements. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next recognized Mr. Daryl Puckett, Attorney, and explained that Mr. Puckette wished to explain a request for a variance to the subdivision ordinance.

Mr. Puckett explained that his request was to subdivide a 25 acre parcel, located on a private road, into two parcels. Mr. Puckett continued that the owners had financial problems and could solve these problems by being allowed to sell a portion of their lot to satisfy their creditors. Mr. Puckett asked the Board to favorably consider this request.

Mr. Paulette informed Mr. Puckett the Board would make a decision later in the meeting.

Mr. Paulette then explained an executive session as necessary to discuss a legal and personnel matter.

Mr. Moore made a motion seconded by Mr. Bosiger to enter into executive session at 10:02 p.m. to discuss a legal and personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 11:45 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended

requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if any action was necessary from the executive session.

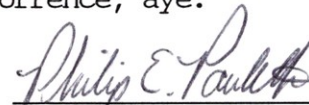
By consensus, the Board of Supervisors agreed to take no action on Mr. Daryl Puckett's request for a subdivision variance.

Mr. Torrence made a motion seconded by Mr. Moore to offer Doctors Mathews, Fratrack and Powell \$250,000, offer good for thirty days, for the Appomattox Family Practice building, provided it is certified to be asbestos free. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

By consensus of the Board, fees for zoning reapplications for Clarence Woody and Nannie Watkins would be waived one time, due to confusion in the application process.

By consensus of the Board, Mrs. Ferguson was asked to invite the volunteer's who worked on "Spot" the Library Bus to the next Board of Supervisors meeting.

At 12.05 a.m., being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to recess until after the public hearing on September 16, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on September 16, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears
Claude A. Moore
Wayne Lewis
Sammy Carter
Russell H. Moore

Absent (Planning Commission):

James Sefter
Calvin Tanner
Kevin O'Brien
Elizabeth Edwards
Robert Johnson

Mr. Paulette called the public hearing to order, stated the purpose of the hearing was to receive public comment on a zoning petition and gave the procedure for addressing comments.

Mr. Paulette asked Mr. Caldwell, Clerk to the Planning Commission to read the petition.

Mr. Caldwell read petition 96-299 of Clarence Woody and others to rezone property from R1 to R2. Property is tax map 87C-1-1 thru 87C-1-6 known as Percy Thompson Sub-division and is located on Route 647 between Route 679 and Route 728.

Mr. Paulette then asked if anyone wished to make comments concerning this request.

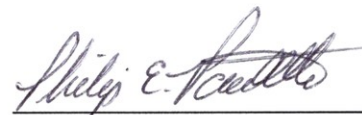
Mr. Clarence Woody came forward and gave his address as Route 1, Box 1054, Spout Spring, Virginia. Mr. Woody stated he was the person applying for rezoning and asked if anyone had questions.

Hearing no questions, Mr. Paulette asked if anyone else wished to comment.

Mr. James Kennon came forward and gave his address as Route 1, Spout Spring. Mr. Kennon stated he lived on lot four (4) adjoining Mr. Woody's property and he was not in favor of the rezoning.

Mr. Paulette called for other comments on this petition.

Hearing none, Mr. Paulette declared the public hearing closed at 7:10 P.M.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on September 16, 1996 at 7:15 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore, Vice-Chairman - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 7:15 p.m. and asked Mrs. Ferguson to present items for Board consideration.

Mrs. Ferguson began by explaining the Chamber of Commerce had received grant funding for tourism, in the amount of \$1,590.00. She continued that the Chamber was requesting funding from the County in the amount of \$5,300.00, which is the required match to receive the grant.

After discussion, and by consensus, the Board did not approve the \$5,300.00 match.

Mrs. Ferguson next presented a request from the Historic Railroad Festival for a permit to display fireworks on October 12, 1996 at 8:00 p.m. Mrs. Ferguson explained everything was in order and requested the Board to approve the request.

Mr. Torrence made a motion seconded by Mr. Moore to approve a fireworks permit for the Historic Appomattox Railroad Festival, Inc. to be held on October 12, 1996 at 8:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next explained that due to Hurricane Fran, the leachate pumping and hauling at the landfill had to be stepped up. She continued to explain that the Town could not take the leachate due to the amount of water they received from Fran. Mrs. Ferguson explained that due to the above circumstances the fees for pumping and hauling leachate were going to be considerably more than previously approved. Mrs. Ferguson also explained she felt that a portion of these costs would be reimbursed by FEMA because they were directly related to Hurricane Fran.

Mrs. Ferguson explained that she would like to have Mr. Martin, Maintenance Supervisor, join the Board to review maintenance issues around the Courthouse and on other County owned properties.

Mr. Martin provided a detailed list of carpet, painting, paving, roof repairs, and other maintenance needs to County owned buildings.

After considerable review and consideration, Mr. Torrence made a motion seconded by Mr. Bosiger for Mr. Martin to seek bids on major areas of needed repairs to County buildings. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called for an executive session to discuss personnel matters.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 8:50 p.m. to discuss personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 9:50 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for action from executive session.

Mr. Torrence made a motion seconded by Mr. Bosiger to appoint Ms. Tina Carter, as Interim Landfill Operator for six months with a salary of \$20,650.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Carwile to adjourn at 9:52 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint work session of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on October 2, 1996 at 6:00 P.M. in the School Board Conference Room, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
 Garek K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Present (School Board):

Lannis Seltz - Falling River District
 Jean Mills - Wreck Island District
 Kenneth McClenny - Appomattox River District
 Richard Poe - Courthouse District
 Charles Booker - Piney Mountain District

Also Present:

Dr. Jack Thomas, Superintendent - Appomattox County Schools
 Joyce Jamerson, Assistant Superintendent - Appomattox County
 Schools
 Aileen T. Ferguson - County Administrator

Dr. Poe, Chairman of the School Board called the session to order and welcomed all present.

Dr. Poe then stated the purpose of the session was to have the architect, for the Elementary School Project, present the various designs and options for discussion and review.

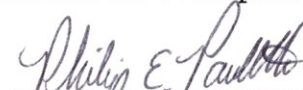
Blair Smith, Architect, presented a detailed comparison of 1992 figures versus 1996 figures. Mr. Smith answered questions of the Board Members.

After a lengthy discussion, Mr. Smith gave cost estimates on the three (3) scenarios presented:

- 1) \$7.77 million - renovation of building and adding addition.
- 2) \$7.44 million - demolition of oldest part of building and add "Y" addition.
- 3) \$8.6 million - new school.

The Board of Supervisors and School Board continued to discuss the options presented. After the discussion, the general consensus, was that from the information presented, the new school seemed to be the best option.

Being nothing further, the session was closed at 7:30 p.m.


 Chairman

A public hearing of the Appomattox County Board of Supervisors was held on October 7, 1996 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
 Garek K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the Public Hearing to order at 6:30 p.m., stated the purpose of the hearing was to receive comments on a proposed change to the Solid Waste Ordinance and gave the procedure for addressing comments.

Mr. Paulette then stated the purposed change was to Chapter 139 - Solid Waste, Article I, Collection and Disposal, Section 139-7.B.- Fee Schedule, to eliminate the small user fee in it's entirety.

Mr. Paulette then called for comments.

Hearing none, Mr. Paulette closed the public hearing at 6:34 P.M.

Philip E. Paulette

 Chairman

A Public Hearing of the Appomattox County Board of Supervisors was held on October 7, 1996 at 6:35 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
 Garek K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

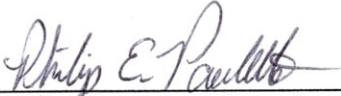
Aileen T. Ferguson - County Administrator

Mr. Paulette called the hearing to order at 6:35 P.M., stated the purpose of the hearing was to receive comments on the proposed issuance of general obligation school bonds, and gave the procedure for addressing the Board.

Mr. Paulette then explained that the Board of Supervisors was considering issuing general obligation school bonds in the estimated maximum amount of \$5,000,000 to finance certain capital projects for school purposes.

Mr. Paulette next called for comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:40 p.m.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on October 7, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Torrence to deliver the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Torrence stated that page "i" of the September 3, 1996 minutes should read 12:05 a.m. not P.M.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve the minutes of the September 3, 1996 regular meeting as corrected; the minutes of the public hearing of September 16, 1996 and the recessed meeting of September 16, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called on Mr. Don Austin, Assistant Resident Engineer, to appear before the Board.

Mr. Austin began by explaining that the documents presented to the Board at the September meeting by Ms. Lindsay were simply to make the Board aware of all the tools available to help with traffic control.

Mr. Austin next explained that a work session was necessary prior to the public hearing on the Six Year Plan.

After discussion, and by consensus of the Board, October 24, 1996 at 6:00 P.M. in the VDOT area office was set for a work session on the Six Year Plan.

Mr. Austin then answered several questions from Board members.

Being nothing else for Mr. Austin, Mr. Paulette thanked and excused him.

Mr. Paulette next invited Ms. Jamee Hall to appear before the board.

Ms. Hall and Ms. Carolyn Bondurant, volunteers with "Spot" the library bus, came forward. Ms. Bondurant gave a brief overview of Spot's activities over the summer and Ms. Hall presented slides showing some of Spots clients.

Mr. Paulette then thanked Ms. Hall and Ms. Bondurant for their efforts in making books available to children in areas where a library is not readily accessible. Certificates of Appreciation were then presented to each volunteer who helped make the program such a huge success. Mr. Paulette again thanked those present and excused them.

Mr. Paulette next explained that an executive session was necessary to discuss a legal matter.

Mr. Bosiger made a motion seconded by Mr. Torrence to enter into executive session at 7:30 P.M. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 8:10 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence; aye.

Mr. Paulette noted there was no action from the executive session.

Mr. Paulette next called on Mr. & Mrs. Robbie Thomas to come before the board.

Mrs. Thomas began by explaining she and her husband were requesting a special exception to the Zoning Ordinance to allow them to place an accessory building in the front and to the side of their existing dwelling.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Carwile that in accordance with Section 170-82(A) Mr. & Mrs. Thomas be allowed to construct a utility building to the front and side of their existing dwelling unit. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then thanked and excused Mr. & Mrs. Thomas.

Mr. Paulette asked Mr. Phil Krajewski to come before the board.

Mr. Krajewski explained he owned 130+ acres with no road frontage and wished to give his brother a building lot.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to approve a Special Exception to the Appomattox County Subdivision Ordinance to allow Phil Krajewski to give his brother a building lot from a 130+ acre tract having no road frontage. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Mr. Krajewski.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile stated he felt the Zoning Ordinance should be reviewed and changed to correct some of the controls in the ordinance.

A discussion followed with no action being taken.

Mr. Bosiger reminded the other Board members that they needed to proceed with hiring an Assistant County Administrator to take care of Economic Development/Tourism; Engineering services and other things as directed.

After discussion, and by consensus of the Board, Mr. Bosiger and Mrs. Ferguson were asked to come up with a job description for this person to present to the Board on October 21, 1996.

Mr. Paulette next inquired as to the status of the Route 648 "Super Site".

Mrs. Ferguson explained the deed had been recorded and requested permission to have a professional draft site plans and specifications.

After discussion and by consensus of the Board, it was agreed to have plans and specifications drawn for the 648 Super Site and pay for this service from 1101-3002.

Mr. Paulette next presented the bids for the five (5) personal computers the County was considering purchasing.

Mr. Bosiger made a motion seconded by Mr. Torrence to accept the bid from Virtual Horizons, Inc. in the amount of \$10,414.33 and transfer funds from 1101-5804 to 1201-7001 to pay for these computers. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked for a resolution of support for the Spout Spring Ruritan Club and their bingo operation.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

**RESOLUTION OF SUPPORT
SPOUT SPRING RURITAN CLUB**

WHEREAS, the Commonwealth of Virginia has formed a Charitable Gaming Commission; and

WHEREAS, the Commission has established certain fees and required forms; and

WHEREAS, Spout Spring Ruritan Club holds bingo games in Appomattox County; and

WHEREAS, Spout Spring Ruritan Club operates these games with volunteer members; and

WHEREAS, Spout Spring Ruritan Club makes generous donations annually to the Youth Association, Volunteer Fire Departments, and Rescue Squads and numerous other groups throughout the County; and

WHEREAS, the Appomattox County Board of Supervisors recognizes the valuable service provided the citizens of Appomattox County by Spout Spring Ruritan Club.

NOW, THEREFORE, BE IT RESOLVED, the Appomattox County Board of Supervisors encourages the Charitable Gaming Commission to review and decrease it's required fees which takes funds from the citizens of Appomattox County and consider reducing the enormous amount of paper work involved in the record keeping process.
Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Planning Commission recommendations from the September 16, 1996 public hearing.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to approve petition number 96-299 of Clarence Woody and Others to rezone property from R-1 to R-2 provided the rezoning does not affect Mr. Kennon's existing used car sales operation, junkyard operation or insurance sales business. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Mr. Ralph Reider has resigned from the Disability Services Board and a new appointment was necessary to fill his unexpired term.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to appoint Bob Poole to the Disability Services Board to fill Mr. Ralph Reider's unexpired term. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Social Services Board wished to have Mr. Lacy Webb reappointed to another term.

Mr. Bosiger made a motion seconded by Mr. Torrence to reappoint Mr. Lacy Webb to the Social Services Board for a term to expire May 31, 2000. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that a resolution was necessary in order to hold rabies clinics in the County at locations other than Dr. Burger's Office.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

**RESOLUTION SUPPORTING RABIES CLINICS
IN APPOMATTOX COUNTY**

WHEREAS, the safety and health of the Citizens of Appomattox County is of primary importance to the Board of Supervisors; and

WHEREAS, rabies is a communicable disease which threatens the safety, and health of the citizens of Appomattox County; and

WHEREAS, the Board of Supervisors strongly believes that rabies clinics help to protect the safety and health of our citizens; and

WHEREAS, in some cases rabies vaccinations are not readily accessible to our citizens to help combat this threat.

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors approves rabies clinics to be offered throughout the County as deemed necessary to protect the citizens of Appomattox County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Governor Allen in support of conserving and improving our rivers and waters.

After discussion, no action was taken.

Mr. Paulette next presented a request from Signet Bank that they be approved as a depository for the County.

After discussion, Mr. Lawson, County Attorney, was to research this matter and report back to the Board at a later date.

Mr. Paulette then presented a copy of the lease with Central Virginia Area Agency on Aging for space at the Community Center, for approval.

Mr. Moore made a motion seconded by Mr. Torrence to approve the lease with Central Virginia Area Agency on Aging for use of space at the Community Center from October 1, 1996 through September 30, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Habitat for Humanity that building permit fees, for their first project be waived.

Mr. Torrence made a motion seconded by Mr. Moore to waive building permit fees for Habitat for Humanity's first project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Requests for convention expenses to be paid were received from Commission of Revenue and Building official.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve expenses for Mr. Mays and Mrs. Wooten to attend the Commissioner of Revenues Annual Conference and for Mr. Caldwell to attend the VBOA Annual school and conference. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Appropriation requests were received from the Sheriff's Department; Court Services Unit; Law Library; Courthouse Maintenance Fund; Library Fund; Social Services; School Board; and Board of Supervisors.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate the following:

- \$ 526.85 to 3102-5408
- \$ 470.17 to 3301-5407
- \$1,165.00 to 2109-5413
- \$ 87.76 from Law Library Fund
- \$ 216.11 from Courthouse Maintenance Fund
- \$2,538.99 from Library Fund
- \$9,000.00 to Social Services Department
- \$ 29.16 from VPSA Loan funds
- \$55,000.00 from VPSA Interest
- \$ 876.21 to 1101-5805

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Registrar that her expenses be paid to her annual meeting.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve expenses for the Registrar to attend her annual meeting. Vote: Mr. Paulette,

aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented bids for replacing the roof on the jail.

After discussion Mr. Bosiger made a motion seconded by Mr. Torrence, Mr. Carwile and Mr. Moore were given the authority to review the bids for the Jail roof work and let the job, not to exceed \$20,000.00.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented bids on the old police cars. Three (3) bids were received on the 1991 Caprice, but only two (2) were received by the cut-off date.

- | | |
|------------------------|------------|
| 1) Michael L. Woods | \$2,157.00 |
| 2) Winners Motor Corp. | \$2,150.00 |

Mr. Torrence made a motion seconded by Mr. Moore to accept the bid of Michael L. Woods for the 1991 Caprice at \$2,157.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that two (2) bids were received on the 1991 Lumina. 1) Carolyn Richardson for \$500.00; 2) Winners Motor Corp. for \$414.00.

After discussion, and by consensus of the Board, all bids on the 1991 Lumina were refused.

Mr. Paulette presented a request from the landfill for line item transfers.

Mr. Bosiger made a motion seconded by Mr. Moore to approve the following line items transfers:

- | | | |
|-----------|--------|-------------|
| 4204-1001 | Delete | \$36,050.00 |
| 4204-2001 | Delete | 217.00 |
| 4204-2002 | Delete | 4,369.00 |
| 4204-3002 | Add | 40,636.00 |

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then explained that Mr. Wright had called and stated he did not feel it is his responsibility to construct a fence between the Advance Auto Property and the Elementary School.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate up to \$2,000.00 to install a fence with gate at the Elementary School. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then explained that an executive session was necessary to discuss legal and personnel matters.

Mr. Bosiger made a motion seconded by Mr. Torrence to enter into executive session at 10:00 P.M. to discuss legal and personnel

matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

ON a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 11:00 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for any action resulting from executive session.

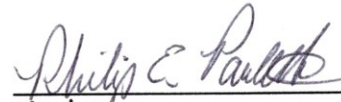
Mr. Bosiger made a motion seconded by Mr. Torrence to increase Phil Kershner's salary by 5%, effective October 1, 1996, since his probation period is over and he has preformed satisfactorily. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore that the Animal Warden's overtime through 8/30/96 be paid and \$1,070.53 be transferred from 1101-5804 to 3501-1003 and 3501-2001 to cover this expense. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to pay Emanuel Tire for the tire chips used and have them pay what they owe the County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

After discussion, and by consensus of the Board, it was agreed to form a committee composed of Mr. Paulette, Mr. Torrence and two (2) members of the School Board, to seek property for a new Elementary School.

Being no further business at 11:10 p.m., Mr. Bosiger made a motion seconded by Mr. Moore to recess until October 21, 1996 after the public hearing. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on October 21, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Sammy Carter
Wayne Lewis
Calvin Tanner
Russell Moore
Elizabeth Edwards
Robert Johnson

Absent (Planning Commission):

Al Sears
Kevin O'Brien
Claude A. Moore
James Sefter

Also Present:

W. M. Caldwell, Clerk - Planning Commission
Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order at 7:00 P.M., stated the purpose of the public hearing was to receive comments on several zoning petitions, and gave the procedure for addressing comments.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition #96-300 of Robert Fleshman to rezone property from R-1 to A-1. Property is Tax Map Parcel #87-A-103 and is located on Route 604 between Route 645 and Route 679.

Mr. Paulette called for comments on this petition.

Mr. Robert Fleshman came forward and gave his address as Route 1, Box 188, Appomattox, VA. Mr. Fleshman continued that he was the person making the request and asked the Board to approve his petition.

Mr. Paulette called for other comments.

Mrs. Nannie Watkins came forward and stated she was Mr. Fleshman's sister and requested the Board of Supervisors make a decision on this request tonight. Mrs. Watkins stated she felt they had been given the run around.

Mr. Paulette called for other comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #96-301 of William B. Armstead for a Conditional Use Permit to allow mobile home in V-1 District. Property is Tax Map Parcel #111A3-A-9 and is located on Route 1112 between Route 1111 and Route 1103.

Mr. Paulette called for comments on this petition.

Mr. Charles Walker came forward and stated he was Mr. Armstead's son-in-law. Mr. Walker explained that his father-in-law was in New Jersey and he had been trying since May 1996 to get an answer on rezoning this property. Mr. Walker requested his father-in-law's request be granted.

Mr. Paulette called for other comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition #96-302 of William E. Jamerson to rezone property from A-1 to B-1 with Conditional Use for Mini Storage. Property is part of Tax Map Parcel #73-A-20A and is located on Route 460 between Route 648 and Route 667.

Mr. Paulette called for comments on this petition.

Mr. W. E. Jamerson came forward and gave his address as P. O. Box 92, Appomattox, VA. Mr. Jamerson continued that he had recently purchased this property and felt that mini storage buildings were an appropriate use of this property.

Mr. Paulette called for other comments.

Mr. Joe Fuller came forward and stated that he was opposed to rezoning this property. Mr. Fuller stated the parcel of land joined predominantly residential properties. He continued that he felt placing mini storage buildings on this property would create a traffic hazard with vehicles entering and exiting this property. Mr. Fuller also stated that he was mainly concerned with Mr. Jamerson's plans for the property located on the west bound side of Route 460. Mr. Fuller stated that in order to construct this building the lot would have to

be cleared of trees and at present these trees provided a noise barrier between the railroad and their dwellings. Mr. Fuller closed by asking that this request be denied.

Mr. Paulette called for other comments.

Mr. McKinley Tanner came forward with a sketch showing Mr. Jamerson's property in relation to other property in the general area. Mr. Tanner stated he opposed the zoning change for the following reasons: 1) traffic was already a problem on Route 460 and this construction would create more problems with vehicles entering and exiting the highway; 2) traffic complicated more by the County's dumpster site; 3) interrupting the quietude of the neighborhood, with traffic entering and existing Mr. Jamerson's property at all hours of the day and night; 4) Church property with cemetery would be disturbed by noise and traffic; 5) property would be devalued; and 6) Appomattox County is Historical County and these would be an eyesore and people would miss the historical sign "Welcome to Appomattox County".

Mr. Paulette called for other comments.

Mr. Kenneth Blackburn came forward and gave his address as Spout Spring. Mr. Blackburn stated he wanted to keep the neighborhood quite and was also concerned with the increased traffic problem in this area. Mr. Blackburn stated he opposed the petition.

Mr. Paulette called for other comments.

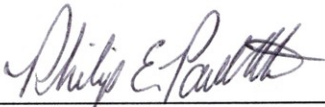
Mr. Herbert Fleshman came forward and stated he was a trustee of Mt. Shiloh. Mr. Fleshman continued that he opposed any commercial development in the area of Mt. Shiloh Baptist Church. Mr. Fleshman explained that his major concern was with increased noise and traffic in this area.

Mr. Paulette called for other comments.

Mr. Lawrence M. Tanner came forward and stated he lived beside McKinley Tanner. Mr. Tanner explained that he was more concerned with the property that joins him rather than the property across the street. Mr. Tanner continued that he was not in favor of this petition.

Mr. Paulette called for any other comments.

Hearing none, and being no further petitions, Mr. Paulette declared the public hearing closed.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on October 21, 1996, after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the recessed meeting to order and asked Mrs. Ferguson to present any business she had for consideration.

Mrs. Ferguson began by explaining the asbestos inspection done on the doctor's office was acceptable with the Health Department.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to authorize the County Administrator to sign any documents related to the purchase of the doctor's office and to appropriate \$38,534.00 for FY97 to pay on this building. The terms of the purchase being \$250,000.00, (\$20,000 at closing; with \$230,000 being financed over 10 years at 8% interest). Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next explained the test results on the "wetlands" at the landfill showed no signs of damage. Mrs. Ferguson then requested a line item transfer to pay for this additional testing.

Mr. Bosiger made a motion seconded by Mr. Moore to approve a line item transfer of \$1,904.00 from 1101-5804 to 4204-3002 to pay for testing done in the "wetlands area" at the landfill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson then asked if the Board was ready to enter into the consent decree with the Department of Environmental Quality?

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to enter into a Consent Decree with the Department of Environmental Quality due to an improper leachate occurrence at the landfill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Ferguson next asked if the Board of Supervisors was prepared to adopt the resolution on the bond issuance for the Middle School Project.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

**A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT
TO EXCEED \$5,000,000 GENERAL OBLIGATION**

**SCHOOL BONDS OF THE COUNTY OF APPOMATTOX,
VIRGINIA TO BE SOLD TO THE VIRGINIA PUBLIC
SCHOOL AUTHORITY AND PROVIDING FOR THE FORM
AND DETAILS THEREOF**

WHEREAS, in February, 1996, the Commonwealth of Virginia Board of Education (the "Board of Education") placed the application (the "Application") of the School Board of the County of Appomattox, Virginia (the "School Board") for a loan or loans totalling \$5,000,000 (the "Literary Fund Loan") from the Literary Fund, a permanent trust fund established by the Constitution of Virginia and dedicated to the support of public education in the Commonwealth of Virginia (the "Literary Fund"), for the construction, renovation and expansion of school buildings (the "Project") in the County of Appomattox, Virginia (the "County"), on the First Priority Waiting List.

WHEREAS, the Board of Education was to have approved the release of Literary Fund moneys to the School Board and made a commitment to loan such moneys to the School Board (the "Commitment") within one (1) year of placement of the Application on the First Priority Waiting List upon receipt of the Literary Fund of an unencumbered sum available at least equal to the amount of the Application and the approval, by the Board of Education, of the Application as having met all conditions for a loan from the Literary Fund.

WHEREAS, the Board of Education was thereafter to have given advances on the amount of the Commitment for the Literary Fund Loan to the School Board, as construction or renovation of the Project progressed, in exchange for temporary notes from the School Board to the Literary Fund (the "Temporary Notes") for the amounts so advanced.

WHEREAS, after the completion of the Project and the advance of the total amount of the Commitment, the Temporary Notes were to have been consolidated into a permanent loan note of the School Board to the Literary Fund (the "Literary Fund Obligation") which was to evidence the obligation of the School Board to repay the Literary Fund Loan.

WHEREAS, the Literary Fund Obligation was to have borne interest at two percent (2%) per annum and mature in annual installments for a period of twenty (20) years.

WHEREAS, in connection with the 1996 Interest Rate Subsidy Program (the "Program"), the Virginia Public School Authority (the "VPSA") has offered to purchase general obligation school bonds of the County, and the Board of Education has offered to pay, to the County, a lump sum cash payment (the "Lump Sum Cash Payment"), equal to the sum of (i) net present value difference, determined on the date that VPSA sells its bonds, between the weighted average interest rate that the general obligation school bonds of the County will bear upon sale to the VPSA and the interest rate that the Literary Fund Obligation would have borne plus (ii) an allowance for the costs of issuing such bonds of the County (the "Issuance Expense Allowance").

WHEREAS, the Board of Supervisors (the "Board") of the County has determined that it is necessary and expedient to borrow not to exceed \$5,000,000 and to issue its general obligation school bonds for the purpose of financing certain capital projects for school purposes.

WHEREAS, the County has held a public hearing, after due publication of notice, in accordance with Section 15.1-227.8, Code of Virginia of 1950, as amended (the "Virginia Code") on October 7, 1996 on the issuance of school bonds in the amount of \$5,000,000.

WHEREAS, the School Board of the County has requested by resolution, the Board to authorize the issuance of the Bonds (as hereinafter defined) and, the School Board has consented to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF APPOMATTOX, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell general obligation school bonds of the County in an aggregate principle amount not to exceed \$5,000,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds: It is determined to be in the best interest of the County to accept (i) the offer of the Virginia Public School Authority (the "VPSA") to purchase from the County, and to sell to the VPSA, the Bonds in a principal amount at the price of par, which when added to the Lump Sum Cash Payment, will be approximately equal to the capital cost of the Project approved the the Board of Education plus the Issuance Expense Allowance, upon the terms established pursuant to this Resolution and (ii) the Lump Sum Cash Payment from the Board of Education. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the County as either of them may designate, are hereby authorized and directed to enter into a Bond Sale Agreement with the VPSA (including the Continuing Disclosure Agreement attached thereto) providing for the sale of the Bonds to the VPSA in substantially the form on file with the County Administrator, which form is hereby approved (the "Bond Sale Agreement") and to accept the Lump Sum Cash Payment from the Board of Education.

3. Details of the Bonds. The Bonds shall be issuable in fully registered form; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 1996"; shall bear interest payable from the date of delivery thereof semi-annually on each January 15 and July 15, beginning July 15, 1997 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts established in accordance with paragraph 4 of this Resolution.

4. Interest Rates and Principal Installments. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that no such interest rate shall be more than ten one-hundredths of one percent (0.10%) over the annual interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds shall not exceed eight percent (8%) per annum. The County Administrator is authorized and directed to accept such other Interest Payment Dates and Principal Payment Dates as may be established by the VPSA. The County Administrator is hereby authorized and directed to accept the aggregate principal amount of the Bonds and the amounts of principal of the Bonds coming due on each Principal Payment Date (the "Principal Installments") established by the VPSA, provided that such aggregate principal amount shall not exceed \$5,000,000 and the final maturity of the Bonds shall not be later than approximately 21 years from their date. The execution and delivery of the Bonds as described in paragraph 8 hereof shall conclusively evidence such interest rates established by the VPSA and Interest Payment Dates and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

5. Form of the Bonds. For as long as the VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A. On twenty (20) days written notice from the VPSA, the County shall deliver, at its expense, Bonds in marketable form in denominations of \$5,000 and whole multiples thereof, as requested by the VPSA, in exchange for the temporary typewritten Bond.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal of, premium if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. on the applicable Interest Payment Date or Principal Payment Date, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date or Principal Payment Date.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) Crestar Bank, Richmond, Virginia is designated as Bond Registrar and Paying Agent for the Bonds.

7. No Redemption or Prepayment. The Principal Installments of the Bonds are not subject to redemption or prepayment. Furthermore, the Board covenants, on behalf of the County, not to refund or

refinance the Bonds without first obtaining the written consent of the VPSA or the registered owner of the Bonds.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal premium, if any and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate and Non-Arbitrage Certificate. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the county as either may designate are hereby authorized and directed to execute a Non-Arbitrage Certificate and a Use of Proceeds Certificate each setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds except as provided below. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Non-Arbitrage Certificate and such Use of Proceeds Certificate and that the County shall comply with the other covenants and representatives contained therein, (ii) the County shall comply with the provisions of the Code, except as provided above, so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the Treasurer of the County to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the County as either may designate, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager, and the depository, substantially in the form on file with the County Administrator, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the County as either of them may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12.

13. Filing of Resolution: The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The County Administrator, the Chairman of the Board and such other officers, employees and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator, or the Chairman of the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors, County of Appomattox, Virginia, hereby certified that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on October 21, 1996, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

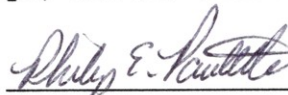
Mrs. Ferguson then asked if the Board would approve for carpet to be installed in the Clerk's Office prior to the other carpets being installed.

After discussion, and by consensus of the Board, it was agreed to wait until all bids were in prior to installing any carpet in any office.

Mr. Paulette then asked if the Board wished to take any action from the Public Hearing.

Mr. Torrence made a motion seconded by Mr. Bosiger to accept the Planning Commission recommendation and approve zoning petition #96-300 of Robert Fleshman to rezone property from R-1 to A-1. Property is Tax Map Parcel #87-A-103 and is located on Route 604 between Route 645 and Route 679. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn at 8:30 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A work session of the Appomattox County Board of Supervisors was held on October 29, 1996 at 6:00 P.M. in the Virginia Department of Transportation Residency Office conference room, Ferguson Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Sandra Lindsay - Resident Engineer, VDOT
Don Austin - VDOT
Robert Brown - VDOT

Mrs. Lindsay began the meeting by explaining that Mr. Austin would review with the Board the present six year plan and unpaved roads priority list and then the Board would have an opportunity to review and make changes if necessary.

Mr. Austin then reviewed in detail, the present Secondary Road System Construction Program and Unpaved Road Priority List.

A lengthy discussion and review followed with the only change being Route 641 from Route 719 to Dead-End being moved up on the list to #4.

Being nothing further, the work session was closed at 8:00 P.M.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on November 4, 1996 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Absent:

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order and stated the hearing was being held in order to comply with Virginia Department of Transportation efforts to improve highway railroad crossings.

Mr. Paulette then stated The Norfolk Southern Corporation, the Virginia Department of Transportation and the Appomattox County Board of Supervisors are considering closing rail crossing number DOT467-98K on Route 622 between Route 460 and Route 620 in Appomattox County.

Mr. Paulette continued that the public hearing provided citizens an opportunity to discuss their concerns with the agencies involved.

Mr. Paulette also stated the closing of the crossing would result in a dead end road.

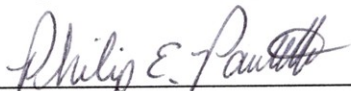
Mr. Paulette then called for comments on closing the crossing.

Mr. Dave Austin came forward and stated he was with the Virginia Department of Rail and Public Transportation and wished to speak on behalf of closing the Route 622 crossing. Mr. Austin stated the Route 622 crossing needed to be closed because it was an unsafe crossing. Mr. Austin stated that considering the few vehicles who used this crossing per day, this should not create a hardship on anyone. Mr. Austin closed by stating closing this crossing would eliminate an unsafe situation.

Mr. Don Austin, Assistant Resident Engineer, VDOT, stated there were only fourteen vehicles per day using this crossing. He continued that notices had been posted on the road and letters sent to property owners notifying of the intent to close this crossing.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette closed the public hearing at 6:34 p.m.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on November 4, 1996 at 6:35 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District (arrived 6:59 P.M.)

Also Present:

Aileen T. Ferguson - County Administrator
Sandra Lindsay - Virginia Department of Transportation, Resident Engineer
Don Austin - Virginia Department of Transportation, Assistant Resident Engineer

Mr. Paulette called the public hearing to order and stated the purpose of the hearing was to receive comments on the proposed Six Year Plan for Appomattox County and requests for new additions to the Secondary Road System.

Mr. Paulette then turned the meeting over to Virginia Department of Transportation representatives for an explanation of the hearing process.

Mr. Austin explained this public hearing was on the Six Year Plan and the '97-'98 budget. Mr. Austin also stated they would take requests for improvements to existing roads and new additions to the secondary road system.

Ms. Lindsay again stated the hearing was for revisions to Appomattox County's Six Year Plan and the '97-'98 Construction Budget.

(Ms. Lindsay presented handouts on the Six Year Plan and Unpaved Road List.)

Mr. Austin then gave a detailed presentation of the proposed Six Year Plan; Projected Secondary System Construction and Allocations; Secondary System Unpaved Road priority List 1999-00 to 2002-03; and Secondary System July 1, 1997-June 30, 1998 Details of Construction Budget. (Copies on file in November 1996 Board File).

Mr. Austin then called for comments.

Mr. Bill Burke came forward and stated he owned property on Route 641. Mr. Burke explained his road had hugh potholes and the ditches needed maintenance.

Mr. Austin explained he would have someone check on this problem.

Mr. Jimmy Bollinger came forward next and explained he lived on Route 675. Mr. Bollinger stated he understood the Six Year Plan called for improvements to three (3) miles of roadway on Route 675. Mr. Bollinger explained he felt this could be shortened to 1/2 mile because there were no houses beyond that point. Mr. Bollinger felt this might cause this section to be fixed sooner because the cost would be less.

Mr. Torrence arrived at 6:59 p.m.

Mr. Austin next explained they would now like to receive requests for improvements to existing road and request for new additions.

Mr. Austin continued that in order to upgrade unpaved roads they had to have a traffic count of at least fifty (50) vehicles per day.

Mr. Austin then asked for requests for improvements to existing roads.

Mr. Charlie E. Tanner came forward and stated there was a problem on Patricia Ann Lane in the Town of Appomattox. Mr. Tanner continued, there was a ditch on the left side of Patricia Ann Lane coming from the Elementary School that was unsafe.

Mr. Austin stated he would check into this problem.

Mr. Austin then asked for requests for new additions.

Mr. Lynn A. Smith came forward and stated he lived on a private road off of Route 604.

Mr. Smith requested their road be taken into the State system. Mr. Smith continued by stating he understood this would require a 50% match from the property owners. Mr. Smith also stated there were eight (8) people living on this road at the present time.

Mr. Austin stated the road viewers may have to take a look at this road prior to any decision being made.

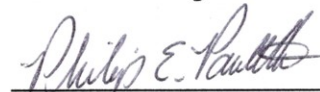
Mr. Austin called for other comments.

Mr. Frank Carwile stated he felt there was a need for an access road behind Dairy Queen into the new Post Office Property.

Mr. Austin stated the request for this access road would have to be made by the Appomattox Town Council. He continued that the Town could request 1/4 mile of road be taken into the system each year.

Mr. Austin asked for other comments.

Hearing none, Mr. Paulette closed the public hearing at 7:15 p.m.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on November 4, 1996 at 7:22 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va 24522.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and asked Mr. Bosiger to give the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the minutes of the work sessions of October 2, 1996; and October 29, 1996; the public hearings of October 7, 1996 and October 21, 1996; the regular meeting of October 7, 1996; and the recessed meeting of October 21, 1996. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked Ms. Sharon Harrup, Executive Director, Southside Training Employment Placement Services, Inc. to come before the Board.

Ms. Harrup presented each Board member with a handout providing background information on STEPS; revenue composition and local government contribution, by County. Ms. Harrup continued that in 1995 STEPS paid \$82,000.00 in wages to the disabled. Ms. Harrup also stated at present their total employment is 67% with 55 of these having disabilities. In closing Ms. Harrup thanked the Board of Supervisors for continued support.

Mr. Paulette thanked and excused Ms. Harrup and called Mr. Dennis Elder to appear before the Board.

Mr. Elder came forward and explained his reason for requesting time on the agenda was due to a zoning matter. Mr. Elder explained the zoning ordinance required an accessory building be in the rear yard of a dwelling unit. He continued that he had constructed an accessory building in the side yard towards the front of his dwelling and was requesting a variance to allow this placement.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore that in accordance with Section 170-82(A) Mr. Elder be approved for an accessory building placement to the front and side of his existing dwelling unit. VOTE: Mr. Paulette, aye; Mr. Bosiger aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called for Supervisor Concerns.

Mr. Torrence asked if a date could be set for the elementary school site search committee to meet.

After discussion, Tuesday, November 12, 1996, at 4:00 p.m. in the School Board Conference Room was set for the first committee meeting. Mrs. Ferguson was asked to notify Dr. Thomas of this date and time.

Mr. Carwile requested the other members of the Board be considering the landfill situation and what direction the County was going to take when it was time to open another cell.

After discussion, it was agreed to discuss the landfill issue after the public hearing on November 18, 1996.

Mr. Paulette next presented Planning Commission recommendations from the October 21, 1996 public hearing.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve petition 96-302 of William E. Jamerson to rezone property from A-1 to B-1 with Conditional Use for Mini Storage. Property is part of Tax Map Parcel #73-A-20A and is located on Route 460 between Route 648 and Route 667. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, abstained; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Sheriff Staples to put the Dodge Shadow back on the road.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to allow the Sheriff to put the Dodge Shadow back on the road for Sheriff's Department use. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that VJCCA funds received in FY96 and not expended needed to be returned to the State.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$2,494.00 of unspent FY96 funds and return to the State. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked the other Board members if they wished to take action from the October 7, 1996 public hearing on amending the Solid Waste Ordinance to eliminate the small user fee.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to amend the Solid Waste Ordinance eliminating the small user fees, effective January, 1997. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented appropriation requests from Library fund, Courthouse Maintenance Fund, Law Library fund and Maintenance Department.

Mr. Bosiger made a motion, seconded by Mr. Moore to approve the following appropriations:

- \$375.00 from the Library Fund
- 200.00 from the Courthouse Maintenance Fund

327.89 from the Law Library Fund
700.00 to 4302-7009.

VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Line Item transfer requests from the Library and Maintenance Departments.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following line item transfers:

\$349.00 from 1101-5804; \$324.00 to 7301-1203 and
\$25.00 to 7301-2001.

\$605.00 from 1101-5804 to 4302-5407.

VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next reminded the other Board members that Signet Bank had requested to be a depository for Appomattox County and that Tommy Lawson had looked into this for the County.

Mr. Lawson explained he had checked the Code and nothing required Appomattox County to allow Signet Bank as a depository for County Funds.

After discussion, and by consensus of the Board, it was agreed to use only local banks for convenience of the Treasurer.

Mr. Paulette next presented a bid for a gas heat unit to be installed in the Museum.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to except Joe Coflin's bid and appropriate \$496.00 to put one gas heat unit in the old jail-museum. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from Pamplin Volunteer Fire Department that the County pay the premium on a liability policy for the department.

After discussion, and by consensus of the Board, it was agreed this was a good policy to have and Mrs. Ferguson was instructed to get prices from another carrier and include Appomattox Fire Department in the process.

Mr. Paulette next asked Mr. Lawson, County Attorney, to bring the Board up to date on properties donated to the Town of Pamplin.

Mr. Lawson stated that upon researching the two (2) properties donated to the Town of Pamplin, he found one property turned over free and clear and one property with stipulations that if the property were sold the proceeds would come to the County.

After discussion, and by consensus of the Board, it was agreed to hold a public hearing at 6:30 p.m. on December 2, 1996 to receive comments

on transferring both properties to the Town of Pamplin with no conditions.

Mr. Paulette then presented requests for appropriations from Courthouse Maintenance, Textbook Rental Fund and Landfill.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$15.63 from Courthouse Maintenance Fund for the month of November 1996. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

MR. Torrence made a motion seconded by Mr. Moore to appropriate \$50,000.00 from the Textbook Rental Fund. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to transfer \$8,000.00 from 1101-5804 to 4204-3002 to install landfill probes. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Appomattox County Chamber of Commerce for \$3,200.00 which is the 50% match required for a grant they just received.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$3,200.00 to the Appomattox County Chamber of Commerce for the Chamber's half of the grant. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then explained bids had been received for installing carpet in County Officer. (Bids on file in Nov. 1996 Board file.)

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to proceed with carpeting, excluding Treasurer's and Commissioner of Revenue's offices and adding the tile in Treasurer's office, if necessary, and to appropriate funds in the amount of \$3,790.00 from Courthouse Maintenance and \$12,222.00 from General Operating. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained an executive session was necessary in order to discuss legal and personnel matters.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 8:50 p.m. to discuss legal and personnel matters. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:47 p.m. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was action from the executive session.

Mr. Bosiger made a motion seconded by Mr. Moore to approve a 5% increase effective November 1, 1996 for Mickey Martin and place him on full time. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate a minimum of \$1,250.00 up to \$2,500.00 to participate in a water study with other localities and several businesses. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until November 18, 1996 after the public hearing. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on November 18, 1996 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District

Russell H. Moore - Piney Mountain District

Absent (Board of Supervisors):

Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears

James Seftor

Kevin O'Brien

Claude A. Moore

Robert Johnson

Russell Moore

Absent (Planning Commission):

Calvin Tanner

Wayne Lewis

Elizabeth Edwards

Samuel Carter

Also Present:

Aileen T. Ferguson - County Administrator

W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the hearing to order and stated the purpose of the hearing was to receive comments on a request to rezone a parcel of property. Mr. Paulette continued by stating the procedure for addressing the Board.

Mr. Paulette asked Bill Caldwell, Clerk to the Planning Commission to read the first petition.

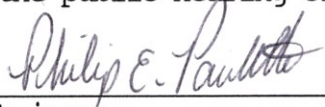
Mr. Caldwell read petition number 96-303 of Watkins M. Abbitt, Jr. to rezone property from A-1 to R-2. Property is Tax Map Parcel 40-(A)-43 and is located on Route 608 between Route 657 and Route 616.

Mr. Paulette called for comments on this petition.

Mr. Watkins Abbitt came forward and stated his reason for requesting the rezoning of this property was in order to have less road frontage per lot. Mr. Abbitt continued that he hopes to sell these lots to people for modular houses because the housing in the areas was basically mobile homes or modular houses.

Mr. Paulette called for other comments on this request.

Hearing none, Mr. Paulette declared the public hearing closed at 7:05 P.M.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on November 18, 1996 at 7:15 p.m., after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
 Garet K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the recessed meeting to order at 7:15 p.m. and called Messrs. Watkins Abbitt, Jr. and W. E. Jamerson to appear before the Board.

Mr. Abbitt thanked the Board for allowing him an opportunity to come before them and made a request on behalf of the Building Fund Committee for the Appomattox County Volunteer Rescue Squad. Mr. Abbitt explained he was Chairman of the Fund Raising Committee and Mr. Jamerson was Co-Chairman. Mr. Abbitt then provided information on the proposed new building including cost of construction, paving and allocation of space. Mr. Abbitt continued by explaining that approximately 1/2 of the cost of construction had been raised and he was requesting the Board of Supervisors commit to \$40,000.00 per year for a period of three (3) years. Mr. Abbitt continued by explaining that the rescue squad provides a valuable service to the County that save the taxpayers considerable money each year. Mr. Abbitt thanked the Board and asked the Board to consider this request.

Mrs. Ferguson next asked the Board if they would consider a fifth pad to be placed at the Route 648 Super Site.

After discussion, and by consensus of the Board, it was agreed to add the fifth pad at the Route 648 site as well as an extra light.

Mr. Paulette then asked the Board of Supervisors what information they wished to receive concerning the landfill.

After a lengthy discussion, Mrs. Ferguson was instructed what to research concerning landfill operations.

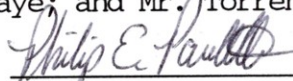
Mrs. Ferguson next presented a bid from Pennington Aluminum Products, Inc. in the amount of \$7,250.00 to repair and replace vinyl soffit and white coil to Court House Building.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to accept Pennington Aluminum Products, Inc. bid in the amount of \$7,250.00 to repair and replace vinyl on the Courthouse. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson next informed the Board the Governor had given State Employees an additional half day Holiday for Thanksgiving, on Wednesday, November 27, 1996.

After discussion, Mr. Bosiger made a motion seconded by Mr. Carwile to give November 27, 1996 as an additional Holiday to County employees.
VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Bosiger, to adjourn at 8:35 p.m. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on December 2, 1996 at 6:30 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Dennis W. Torrence - Appomattox River District

Absent:

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Also Present:

Aileen T. Ferguson, County Administrator

Mr. Paulette called the public hearing to order at 6:30 P.M. stated the purpose of the hearing was to receive public comments on the proposed transfer of two (2) properties to the Town of Pamplin, and gave the procedure for addressing the Board.

Mr. Paulette called for comment regarding the proposed transfer.

Mrs. Margaret Payne came forward and stated she was the Mayor of Pamplin. Mrs. Payne stated that Pamplin needed these properties, free and clear in order to attract a business to locate in Pamplin. Mrs. Payne continued this would bring additional income to Pamplin which is badly needed. Mrs. Payne then thanked the Board for their consideration.

Mr. Paulette called for other comments.

Mr. Lloyd Cobb came forward. He stated he felt that before the property was transferred to Pamplin he would like for the County to

stipulate that part of the property be used for a playground for the Community. Mr. Cobb stated he was not opposed to the transfer but would like to see strict limitations requiring the playground area.

Mr. Paulette called for other comments.

Mrs. Payne asked to be allowed to speak again. She stated the property had already been deeded to Pamplin and all the Board was proposing to do was remove the present stipulations.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette closed the public hearing at 6:37 P.M.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on December 2, 1996 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 P.M. and gave the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of November 4, 1996; November 18, 1996; the regular meeting of November 4, 1996; and recessed meeting of November 18, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next invited Mr. Chris Carey, Account Executive with Sedgewick, James to appear before the Board.

Mr. Carey began by presenting each Board member with a copy of his proposal. Mr. Carey then explained what VACORP was and gave a brief

history of VACORP and it's activities. Mr. Cary continued by briefly reviewing his coverage and comparing this to our present coverage.

Mr. Carey then answered questions of the Board members.

Mr. Paulette thanked Mr. Carey and explained the Board would review the information presented and inform Mr. Carey of the Board's decision.

Mr. Paulette next called Mr. Charles Baliss to appear before the Board.

Mr. Baliss began by explaining he had purchased property from Mr. Monroe Dyess and built a home. Mr. Baliss continued that someone was placing a doublewide on property located behind his property, which had no road frontage, and was crossing his property. Mr. Baliss is concerned with the added traffic across his property. Mr. Baliss also explained that he had to get permission from Bethel Church to use their driveway and no one had approached him about crossing his property. Mr. Baliss stated there was another right of way into this property and felt that should be used.

Mr. Torrence then stated he had been to see this situation and gave a brief synopsis of the situation. Mr. Torrence wanted to know what authority the Krajewski's had to use this right of way.

Mr. Lawson, County Attorney, stated this would be a civil matter and there was nothing the Board of Supervisors could do to correct the problem now.

Mr. Perry McCraw, son-in-law to Mr. Baliss, spoke next and stated he realized they needed to contact an attorney for legal advise, but he was concerned the Board had approved the separation of this lot without regard to the effect it would have on other property owners.

Mr. Paulette next called for a resolution from the Board adopting the Revised Six Year Plan.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

At the regular meeting of the Appomattox County Board of Supervisors held on Monday, December 2, 1996, it was resolved:

WHEREAS, the Board of Supervisors of Appomattox County, and the Virginia Department of Transportation held a public hearing on November 4, 1996, in accordance to Section 33.1-70.01 of the Code of Virginia at which the proposed Six Year Plan for Secondary Road Improvements for 1997-98 thru 2002-03, was presented by S. B. Lindsay, Resident Engineer for the Virginia Department of Transportation.

WHEREAS, the proposed priority list for the 1997-98 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six Year Plan for 1997-98 thru 2002-03 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 1997-98 Secondary Road Construction Budget is hereby approved.
Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked if the Board wished to take any action from the public hearing on transferring properties to Pamplin.

Mr. Torrence made a motion seconded by Mr. Bosiger to transfer the old Pamplin School property and the old Pamplin Cannery property, to the Town of Pamplin with no stipulations. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next read a letter from the Electoral Board thanking Mr. Martin and Mrs. Ferguson for the work done at the voting precincts.

Mr. Paulette then asked if the Board wished to take any action from the November 18, 1996 zoning public hearing.

Mr. Moore made a motion seconded by Mr. Torrence to accept the Planning Commission recommendations and approve petition #96-303 of Watkins M. Abbitt, Jr. to rezone property from A-1 to R-2. Property is Tax Map Parcel 40 (A) 43 and is located on Route 608 between Route 657 and Route 616. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented information on the Virginia on-Site Wastewater Treatment and Disposal Funding Program.

After discussion, no action was taken.

Mr. Paulette next presented the supplemental appropriation requests for December 1996.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$4,600.00 to 3102-1005; \$2,303.00 to 4206-5413; \$730.97 from the Special Library Fund and \$657.97 from the Law Library Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked the Board if they wished to take action on Messrs. Abbitt & Jamerson's request for a commitment to help with construction of the new rescue squad building.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to commit to a \$40,000.00 donation per year, for three years, in order to help with construction of the new rescue squad building. Vote: Mr.

Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Appomattox County Chamber of Commerce for funding to pay personnel to work the museum.

After discussion and by consensus of the Board, no funding was approved to pay personnel at the museum.

Mr. Paulette then presented requested renovations from the Health Department for the Doctor's Building.

After a lengthy discussion, Mrs. Ferguson was asked to contact the Health Department and explain what items the Board of Supervisors agreed to do.

Mr. Paulette moved to the additional items and presented several additional supplemental appropriation requests.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$3,789,949.00 from the VPSA Bond for middle school construction. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to pay a claim to June Johnson for \$300.00 for three (3) sheep killed by stray dogs. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$240.16 from Courthouse Maintenance Fund for the month of December 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette read a request from the General District Court for three mats.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to purchase three (3) chairmats for General District Court from Couthouse Maintenance after prices has been checked. \$61.77 was appropriated. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained an executive session was necessary to discuss a personnel matter.

Mr. Bosiger made a motion seconded by Mr. Carwile to enter into executive session at 8:08 P.M. to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence, seconded by Mr. Carwile, it was resolved the Board of Supervisors return to regular session at 8:30 P.M. Vote:

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carwile the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

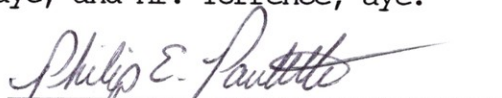
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if any action was necessary from the executive session.

Mr. Carwile made a motion seconded by Mr. Moore to advertise to hire an Assistant County Administrator. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn at 8:35 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on January 6, 1997 at 6:30 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears
Sammy Carter
Calvin Tanner
Elizabeth Edwards
Robert Johnson
Kevin O'Brien
Russell Moore
Wayne Lewis (arrived 6:55 p.m.)

Absent (Planning Commission):

Claude A. Moore
James Sefter

Also Present:

Aileen T. Ferguson, County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the public hearing to order at 6:30 p.m., stated the purpose of the hearing was to receive public comments on a proposed zoning change and gave the procedure for addressing comments to the Board.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission to read the petition.

Mr. Caldwell read petition #96-304 of Raymond A. and Karen G. Lawson to rezone property from A-1 to R-2. Property is Tax Map Parcel 64 (A) 69A and is located on Route 1011 between Route 656 and Dead End.

Mr. Paulette called for comments on the petition.

Mrs. Karen Lawson came forward and stated they were requesting the zoning change to allow two (2) dwelling units to be placed on this one lot.

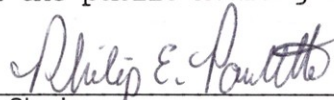
Mr. Jack Burks came forward and gave his address as Route 3, Box 659, Appomattox, Va. Mr. Burks stated he was opposed to the rezoning because he owned property surrounding this property and he did not want mobile homes on this property. Mr. Burks asked the Board to deny this request.

Mr. Paulette called for other comments.

Mrs. Maxine Guill came forward and stated she was allowed to place a mobile home on her property for her mother but it had to be removed when her mother no longer lived in it.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:43 p.m.


Chairman

The regular meeting of the Appomattox County Board of Supervisors was held on January 6, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Philip E. Paulette - Courthouse District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

This being the Annual Organizational Meeting, the County Administrator called the meeting to order at 7:00 p.m. The invocation was given by Supervisor Bosiger and nominations for Chairman of the Board for 1997 were requested. Mr. Carwile nominated Mr. Paulette as Chairman of the Appomattox County Board of Supervisors for 1997. Mr. Torrence seconded the nomination.

Mr. Torrence moved the nominations be closed. Mr. Bosiger seconded the motion. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Paulette, aye; and Mr. Torrence, aye.

Mrs. Ferguson called for a vote on the nomination of Mr. Paulette for Chairman. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye; and Mr. Paulette, abstained.

Mr. Paulette thanked the other Board members for their confidence and asked for nominations for Vice-Chairman.

Mr. Torrence made a motion seconded by Mr. Carwile to nominate Mr. Moore for Vice-Chairman of the Appomattox County Board of Supervisors for 1997.

Mr. Bosiger moved the nominations be closed. Mr. Torrence seconded the motion. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called for a vote on the nomination for Vice-Chairman for 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Torrence, aye; and Mr. Moore, abstained.

Mr. Paulette next explained that the Board needed to adopt Rules of Order; establish meeting dates, time and place; and give any special instructions to the County Administrator.

Mr. Carwile made a motion seconded by Mr. Torrence to adopt "Roberts Rules of Order, simplified". Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to continue with the regular meeting being held on the first Monday of each month and the third Monday of each month for the Zoning Public Hearing at 7:00 p.m., in the Courthouse. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if anyone had special instructions for the County Administrator.

By consensus, the Board of Supervisors thanked Mrs. Ferguson for the job she has been doing and stated she should continue as she has in the past.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of December 2, 1996 and the public hearing of December 2, 1996. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called Ms. Sandra Lindsay, Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Ms. Lindsay came forward and presented the Board members with a sample resolution, closing the Route 622 crossing, for Board approval.

After review, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

WHEREAS, Norfolk Southern Corporation requested the Virginia Department of Transportation and the Appomattox County Board of Supervisors to consider abandonment of railroad grade crossing No. DOT 467-981 K on Route 622 between Route 460 and Route 620 in Appomattox County;

WHEREAS, a Public Hearing was held on November 4, 1996, after public notification in accordance to Section 33.1-151 of the Code of Virginia and written notification to adjacent property owners;

WHEREAS, no citizen or property owner expressed opposition to the closing of the crossing at the Public Hearing;

WHEREAS, the Virginia Department of Transportation and the Appomattox Board of Supervisors have determined that the crossing is not a public necessity and is an unprotected crossing with inadequate approaches;

WHEREAS, Route 622 will connect to Route 620 for public access;

NOW, THEREFORE BE IT RESOLVED, that railroad grade crossing No. DOT 467-981 K be abandoned as a public crossing and Route 622 from Route 460 to 0.07 miles South of Route 460 be abandoned as a public road in accordance to Section 33.1-151 of the Code of Virginia.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Ms. Lindsay then presented the Board members with copies of "Board of Supervisors Reference Manuel". Ms. Lindsay explained the reference manual contained information of subjects Board members were frequently questioned about.

Ms. Lindsay asked if there were questions from Board members for her.

Mr. Moore stated he had been approached by Mr. Kenny Wayne Burks concerning the speed limit being lowered on a portion of Route 654. Mr. Moore explained that Mr. Burks complaint was due to people ignoring school bus stop signs and this was endangering the lives of his children.

Ms. Lindsay explained she would look into what could be done to help alleviate this problem.

Mr. Torrence asked Ms. Lindsay to check into the potholes, pavement breaking up and the narrow pavement on Route 1011.

Ms. Lindsay stated she would see what could be done.

Mr. Carwile asked Ms. Lindsay if center lines could be installed on Route 608 from Concord to Oakville.

Ms. Lindsay explained that according to Federal guidelines pavement must be a certain width before it would qualify for markings. Ms. Lindsay explained this route may not qualify.

Mr. Paulette thanked Ms. Lindsay and called Mr. Paul Lee, representative of Robinson, Farmer, Cox to appear before the Board.

Mr. Lee reviewed the County's FY96 audit report. Mr. Lee thanked all involved for their cooperation and explained the County had a very successful audit with no irregularities noted.

Mr. Lee continued that the County ended the year with a fund balance of 3.4 million dollars which was an approximate increase of \$6,000,000.00 over FY95. Mr. Lee stated a good rule of thumb to follow for fund balance was 20% of total budget. Mr. Lee also stated that tax collections were 97% of levy. Mr. Lee continued to highlight areas in the audit report.

Mr. Lee then answered questions from Board members.

Mr. Torrence asked Mr. Lee if he felt the County would come out just as well with the proposed legislation doing away with personal property taxes and increasing the sales tax.

Mr. Lee said he would have to run some figures before he could answer that question. He continued that he would provide those figures to the County Administrator.

Mr. Paulette thanked and excused Mr. Lee and asked Mrs. Bonnie Tillotson to appear before the Board.

Mrs. Tillotson began by explained she was trying to sell two parcels of property located in Wolf Creek Estates. Mrs. Tollitson continued that when the parcels were surveyed they did not contain the river frontage that the original plat showed. Mrs. Tillotson explained that Mr. Bob Foster, owner of the adjoining lots had agreed to give what was necessary to give the prospective buyers what they thought they were buying. Mrs. Tillotson asked the Board to give a special exemption for these two lots.

After discussion, and by consensus of the Board of Supervisors, this was referred to the Planning Commission for review and recommendation.

Mr. Paulette asked the Board if they wished to act on the Planning Commission recommendation from the 6:30 p.m. public hearing.

Mr. Paulette explained the Planning Commission recommended denying Mr. Raymond Lawson's request to rezone property from A-1 to R-2.

Mr. Carwile made a motion seconded by Mr. Bosiger to accept the Planning Commission's recommendation and deny petition #96-304 of Raymond and Karen Lawson to rezone property from A-1 to R-2. Property is Tax Map Parcel 64 (A) 69A and is located on Route 1011 between Route 656 and Dead End. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that an executive session was necessary to discuss a personnel matter.

Mr. Moore made a motion seconded by Mr. Carwile to enter into executive session at 8:00 P.M. to discuss a personnel matter. VOTE: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 8:44 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Sheriff Staples met with the Board of Supervisors requesting funds for mental health services for jail inmates and additional medical funds for inmates. Sheriff Staples explained no mental health funds were placed in the budget because the Board wanted to keep up with expenses in this area. Sheriff Staples also explained that due to a \$10,895.00 medical expenditure for one inmate, his medical funds had been depleted.

After discussion, Mr. Carwile made a motion seconded by Mr. Bosiger to appropriate \$10,000.00 to 3301-3001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if the Board wished to act on Sheriff Staples other appropriation request at this time.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$488.74 to 3102-1002; \$800.00 to 3301-3001; and \$13,700.00 to 4302-3002 to pay for replacing the roof on the jail. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Sheriff Staples and called Ms. Faye K. Straub, Director of Fair by the James, to appear before the Board.

Ms. Straub began by explaining the dates for the Fair by the James had been set for May 22-26, 1997 with a Memorial Day theme. Ms. Straub explained some of the features included in Fair by the James and requested a resolution of support from the Board of Supervisors.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION

WHEREAS, the "Fair by the James" is a nonprofit organization dedicated to promoting youth education, agriculture and commerce in the Central Virginia Region;

WHEREAS, the Fair's primary goal is to enhance learning opportunities for youth in the Central Virginia Region through the provision of educational scholarships;

WHEREAS, the "Fair by the James" offers an educational and entertainment venue to the citizens of the Region and provides them

the opportunity to showcase their skills and talents in a wholesome manner;

WHEREAS, the parent corporation to the "Fair by the James, the Atlantic Rural Exposition, Inc., of Virginia, was established in 1946 and has a proven track record for innovative community development in support of cultural and educational endeavors;

WHEREAS, the "Fair by the James" is committed to working collaboratively with communities, governments, organizations, businesses and industries to assure maximum Regional involvement in this event;

WHEREAS, the Fair will have a positive economic impact on the Region, and

WHEREAS, the Greater Lynchburg Chamber of Commerce has entered into partnership with the "Fair by the James" to produce a quality event worthy of the Central Virginia Region's established reputation,

BE IT RESOLVED that the **APPOMATTOX COUNTY BOARD OF SUPERVISORS** pledges to join other jurisdictions in support of the "Fair by the James" for socioeconomically enriching the Central Virginia Region while fostering regionalization among localities.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Ms. Straub and called for Supervisor Concerns.

Mr. Carwile stated he would like for the Board members to tour the Sheriff's Office to consider an addition, as has been discussed in the past.

After discussion, it was agreed to meet one half hour prior to the January 21st meeting to tour the Sheriff's Office.

Mr. Paulette called for other concerns, hearing none, he began with Administrative Item #9, the transfer of \$200,000.00 from the General Fund to the Capitol Improvements Account.

Mr. Carwile made a motion seconded by Mr. Torrence to transfer \$200,000.00 from General Funds to the Capitol Improvement Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented supplemental appropriation request from the Law Library Fund, Comprehensive Services Act and Landfill.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$155.49 for the month of January, 1997 from the Law Library Fund; \$5,536.00 from the General Fund to 5310-3001; \$1,382.68 to 4204-3002; \$2,000.00 to 4204-5804; \$140.05 to 1101-5803; and \$990.00 from the

Courthouse Maintenance Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that the cost for an additional \$1,000,000.00 umbrella policy on the liability insurance would be approximately \$1800.00.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to take an additional \$1,000,000.00 umbrella policy on the liability insurance at a cost not to exceed \$1,800.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request for support of real estate taxes exemption for Moose Lodges in Virginia.

After discussion, Mr. Carwile made a motion seconded by Mr. Bosiger to write a letter supporting real estate tax exemption for Moose Lodges. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a letter from Mr. George Phipps complaining about a zoning violation committed by his neighbor.

After discussion, Mrs. Ferguson was instructed to write Mr. Phipps informing him of what has been done to address this problem.

Mr. Paulette next explained the Board needed to appoint a Legislative Contact for this Legislative Session.

After discussion and by consensus of the Board, Mr. Paulette was appointed as the legislative contact for 1997.

Mr. Paulette notified the other Board members that an executive session was necessary to discuss legal and personnel matters.

Mr. Torrence made a motion seconded by Mr. Carwile to enter into executive session at 9:25 p.m. to discuss a legal and personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence, it was resolved the Board of Supervisors return to regular session at 11:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore, seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for action from the executive session.

Mr. Bosiger made a motion seconded by Mr. Carwile to approve the Sheriff's Department New Personnel Policy by agreeing to pay for unused sick leave up to \$2,500.00 for an employee, upon retirement. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented the only bid received on the "Route 648 Super Site" from W. Frank Moore.

After discussion, Mr. Carwile made a motion seconded by Mr. Bosiger to accept W. Frank Moore's bid for the Route 648 Super Site, as amended, in the amount of \$40,378.67. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Health Department for approximately \$6,000.00 to purchase a new dental chair.

After discussion and by consensus of the Board the request was denied.

Mr. Paulette then presented tentative plans for office relocation to the old Health Department Building for Board of Supervisors approval.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve plans for office relocation to the old Health Department. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from Mr. Monroe Dyess, Oakville Ruritan Club, for the Board to allow a monument to be placed in Courthouse Square in memory of ALL veterans.

After discussion, and by consensus of the Board, the concept of placing a memorial for ALL veterans in Courthouse Square was acceptable, but prior to approval the Board would like details as to proposed location and monument design.

Being nothing further, Mr. Bosiger made a motion seconded by Mr. Moore to recess until 6:00 p.m. on January 21, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint work session of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on Monday, January 13, 1997 at 5:00 p.m., in the School Board conference room, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (School Board):

Richard Poe
Charles Booker
Lannis Selz
Jean Mills
Kenneth McClenny

Also Present:

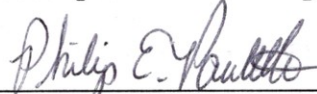
Dr. Jack Thomas - Superintendent of Schools
Aileen T. Ferguson - County Administrator
Joyce Jamerson - Assistant Superintendent
Billy Perrow
Bobby Waddell

Mr. Paulette opened the work session and asked Dr. Jack Thomas to explain to the Board the reason for the work session.

Dr. Thomas began by explaining that the bids for the Middle School addition and renovation had come in above the allotted \$5 million dollars. Dr. Thomas then presented each member with handouts comparing the two (2) bids received and showing the cost for the "ADD ALTERNATES". Dr. Thomas also provided copies of deducts that the architect felt could be taken from the project and deducts the School Board felt could be taken from the project. (Copies on file in the January 1997 Board file.)

A lengthy discussion followed.

After discussion and by consensus of the Board of Supervisors, it was agreed to hold a Special Meeting at 6:30 p.m. on January 14, 1997.


Chairman

A special meeting of the Appomattox County Board of Supervisors was held at 6:30 p.m. on January 14, 1997 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia. The meeting was requested by Supervisors Bosiger and Carwile to consider additional financing for the Middle School Project.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 6:30 p.m.

Mr. Moore made a motion seconded by Mr. Bosiger to waive the five (5) day notice for a Special Meeting in accord with Virginia Code Section 15.1-538. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

The County Attorney, Thomas W. Lawson, also agreed to the waiver of notice.

All members of the Appomattox County Board of Supervisors and the County Attorney signed a written waiver of the notice and Chairman Paulette directed the County Administrator to file the waiver in the Office of the County Administrator.

A lengthy discussion followed on the Middle School Project and additional funding sources for the additional funds necessary to construct and renovate with extensive alternations to the project.

After discussion, Mr. Bosiger made a motion seconded by Mr. Carwile to to accept the School Boards revised figure for the Middle School project of \$4,990,393.00, adding the "add alternates" in the amount of \$486,500.00, and to include the Furniture allowance of \$145,000.00 for a total project cost of \$5,621,893.00. Funding for the project would come from the following sources:

\$5,000,000.00 - loan from VPSA & Literary Loan Fund
200,000.00 - interest on VPSA loan
483,956.00 - Trigon Blue Cross Blue Shield Stock

(43,996.00 x \$11.00 per share)

\$5,683,956.00

with the balance of Trigon funds to be earmarked towards replacing the roof on the High School. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

At 7:18 p.m. Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on January 21, 1997 at 6:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order at 6:00 p.m. and explained an executive session was necessary to interview applicants for the Assistant Administrator/Economic Development position.

Mr. Carwile made a motion seconded by Mr. Torrence to enter into executive session at 6:01 p.m. to interview applicants. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger it was resolved to return to regular session at 9:45 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of

Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was a recommendation for Assistant County Administrator/Economic Development Director.

Mr. Torrence made a motion seconded by Mr. Bosiger to offer the Assistant County Administrator/Economic Development Director position to Andy Carroll at an annual salary of \$25,000.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that Mrs. Ferguson had a number of items for Board consideration, and asked Mrs. Ferguson to present these items to the Board.

Mrs. Ferguson presented a request from the Electoral Board for telephones to be installed in the Vera, Chap, Agee and Oakville Voting Precincts. Mrs. Ferguson continued that the initial installation cost could be covered in the FY97 budget without an additional appropriation. The annual cost for the two (2) elections would be approximately \$500.00.

Discussion followed.

After discussion and by consensus of the Board, Mrs. Ferguson was directed to ask the Electoral Board to look into relocating the Agee, Vera, Oakville and Chap Voting Precincts, into nearby Churches.

Mrs. Ferguson next presented supplemental appropriation request from Registrar, Electoral Board, Recreation Department, Commonwealth Attorney and Sheriff's Departments.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate fund for the Electoral Board and Registrar as follows: 1301-1003 - \$5,500.00; 1301-3004 - \$500.00; 1301-3002 - \$600.00; 1301-5401 - \$1,800.00; 1301-5501 - \$250.00; 1301-8002 - \$350.00 and 1302-1003 - \$650.00; 1302-5201 - \$800.00; 1302-5203 - \$300.00; 1302-5401 - \$200.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$75.00 from the Special Ballpark Fund for January, 1997. Vote: Mr.

Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$1,440.00 to 2201-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$36.94 to 3107-1004 and \$306.00 to 3107-2001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Ferguson presented information to the Board on Trigon Blue Cross Blue Shield stock; VPSA interest on loan for Middle School and Personal Property Tax VS Local Sales Tax.

Mrs. Ferguson presented a letter from Nottoway County requesting the Board's support for moving the Department of Military Affairs from Richmond to Fort Pickett.

After discussion and by consensus, the Board of Supervisors directed Mrs. Ferguson to write a letter supporting the Department of Military Affairs move to Nottoway County.

Mrs. Ferguson next explained that she had been asked by Piedmont Regional Jail Superintendent, Lou Barlow, if Appomattox County would be interested in participating in a Juvenile Detention Facility with Prince Edward and other localities.

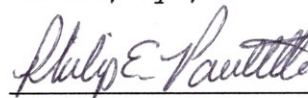
After discussion, and by consensus of the Board, it was decided that due to our participation with the City of Lynchburg, we would not be interested in joining in another juvenile facility.

Mrs. Ferguson next reminded the Board members of a request, at the Regular meeting in January, made by Bonnie Tillotson, for a special exemption to the Subdivision Ordinance, for two lots in Wolf Creek Estates.

Mrs. Ferguson provided further information on this request.

After a lengthy discussion and by consensus of the Board, the request by Bonnie Tillotson for special exemption to the subdivision ordinance for two (2) lots in Wolf Creek Estates, was denied.

At 10:32 p.m., being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 3, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
 Garet K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
 Thomas W. Lawson - County Attorney
 Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Moore to deliver the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Several corrections were noted.

Mr. Torrence made a motion seconded by Mr. Carwile to approve the minutes of the regular meeting of January 6, 1997 as corrected: joint work session of January 13, 1997; a special meeting of January 14, 1997; a recessed meeting of January 21, 1997; and a joint meeting of January 6, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore; and Mr. Torrence, aye.

Mr. Paulette next introduced Mr. Andy Carroll, the new Assistant County Administrator, and welcomed him to the staff.

Mr. Paulette then called on Mr. Don Austin, Assistant Resident Engineer, VDOT, to appear before the Board.

Mr. Austin began by explaining that Route 666 would be reopened by replacing the bridge with a low water pipe structure.

Mr. Austin next provided some information on SB1077 and explained that he did not feel this would help us at the present.

Mr. Torrence asked the status of Frog Bottom in Pamplin City.

Mr. Austin explained the utility cables will need to be moved prior to beginning construction.

Mrs. Ferguson explained the property owners were willing to donate the right of way but could not financially afford to pay to have utility cables moved.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to request utilities be moved by the utility companies at no expense to the property owners. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further for Mr. Austin he was thanked and excused.

Mr. Paulette next recognized Mr. Lloyd Cobb and asked him to come before the Board.

Mr. Cobb came forward and stated his purpose for meeting with the Board was to seek guidance in a problem the citizens of Pamplin were having. Mr. Cobb explained he and a group of citizens were trying to get a playground in Pamplin and was receiving no cooperation from the Pamplin Town Council. Mr. Cobb questioned Code Sections concerning the County's responsibility to provide recreation department.

Discussion continued with information being provided concerning CHCD grants and the Town and County's responsibilities for providing recreation department for County youth.

Mr. Paulette thanked and excused Mr. Cobb and asked representatives with the United Way of Central Virginia to come before the Board.

Mr. Sonny Conner began by thanking the Board for the opportunity given them to address the Board concerning the United Way of Central Virginia. Mr. Conner explained the "donor's choice" option given United Way participants and stated he felt this could really help Appomattox organizations. Mr. Conner then asked Ms. Linda Jones, President, United Way of Central Virginia, to give the Board of Supervisors an overview of the organization.

Ms. Linda Jones, began by going over the packet of information provided earlier to each Board member concerning the mission of the United Way, the service area, standard criteria for affiliate agency's, etc.

Members of the Board of Supervisors asked questions concerning local affiliate agency's.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to endorse the United Way concept for the Appomattox area. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called Mr. Bruce Stratton, Captain of Concord Volunteer Rescue Squad, to appear before the Board.

Mr. Stratton explained that there were several changes taking place in Concord that he felt necessitated some action from the Board. Mr. Stratton continued that part of Concord Volunteer Rescue Squad's territory was in Appomattox County and that with Campbell County's E911 coming into place, they would no longer be dispatching their own emergency calls. Mr. Stratton explained he could not find any formal acknowledgement from the Board of Supervisors concerning Concord Rescue Squad answering calls in Appomattox County.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence, to recognize Concord Rescue Squad as emergency medical service providers to a portion of Appomattox County citizens. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Mr. Stratton and called for Supervisor Concerns.

Mr. Carwile asked how the animal control committee was proceeding with the review of the animal problems in the county?

Mrs. Ferguson explained the committee had been quite active visiting other facilities and examining problem areas with animal control. Mrs. Ferguson continued that she hoped the committee would be ready with a report soon.

Mr. Carwile asked the status of the landfill information the Board had requested.

Mrs. Ferguson explained she had asked Mr. Dickerson with Hurt & Proffitt to attend tonight's meeting to discuss this issue with the Board.

Mr. Carwile asked if the Planning Commission had reviewed the Zoning Ordinance for changes?

Discussion followed!

After discussion, it was agreed to hold a work session on February 18, 1997 at 7:00 p.m. to give direction to the Planning Commission as to the review of the Subdivision and Zoning Ordinances.

Mr. Paulette asked if it was agreeable to meet with the Electoral Board at 7:30 p.m. on the 18th of February 1997, to discuss the possibility of relocating some of the precincts.

After discussion, it was agreed to meet with the Electoral Board on February 18, 1997 at 7:30 p.m. to discuss relocating some of the voting precincts.

Mr. Paulette next presented a request for convention/education approval for Mr. Carroll to attend a seminar at Virginia Tech.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve Mr. Carroll's expenses be paid to attend a seminar March 23-25. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next invited Mr. Earl Dickerson and Mrs. Tina Carter to appear before the Board.

Mr. Paulette began by asking Mr. Dickerson if he cared to comment on the January 8, 1997 landfill inspection by DEQ.

Mr. Dickerson stated he felt there were several areas noted on the inspection report that he intends to address in a letter to DEQ, with the Board's permission.

After discussion, and by consensus of the Board, it was agreed that Mr. Dickerson would write a letter, on behalf of the County, to DEQ.

Mr. Paulette next explained that Mr. Dickerson needed direction from the Board as to the specific information to be included in the scope of the landfill evaluation project.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to have Hurt & Proffitt provide cost estimates for various options for handling waste in Appomattox County at a cost not to exceed \$3,500.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Dickerson next explained to the members of the Board that there was a new program available at a cost of \$2,000.00 to help with ground water analysis.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to approve a line item transfer of \$2,000.00 from 1101-5804 to 4201-3002 to purchase computer program for the landfill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented supplemental appropriation requests from the Maintenance Department, Court Services Unit and the Law Library.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$5,466.00 to 4302-7009; \$6,430.00 to 2109-5413; \$256.00 to 2109-5413; and \$432.07 from Law Library Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette, then presented line item transfer requests.

Mr. Moore made a motion seconded by Mr. Bosiger to transfer \$7,000.00 from 1101-5804 to 4204-5408; \$1,562.00 from 1101-5804 to 33202; \$12,478.00 from 1101-5804 and \$853.00 from 1101-2005 as follows: \$853.00 to 1201-2005; \$10,417.00 to 1201-1001; \$797.00 to 1201-2001; \$1,254.00 to 1201-2002 and \$10.00 to 1201-2009; \$1,200.00 from 1101-5804 to 3501-5404 and 3501-7001; and \$1,700.00 from 1101-5804 to 1201-7001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next informed the Board of two upcoming meetings; one on February 20, 1997 at 6:30 p.m. and one on March 1, 1997 at 8:30 a.m.

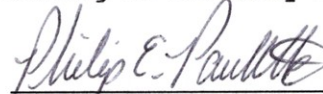
Mr. Paulette then asked the Board members if they wished to offer payroll deductions for employees to pay auto insurance premiums.

After discussion and by consensus of the Board, this benefit was not selected to be offered to County employees.

Mr. Paulette next presented requests concerning the proposed office relocation.

After discussion, and by consensus of the Board, it was agreed to put the office relocation on hold until after the Judge decides what he will accept for needed space.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Moore to recess until after the public hearing on February 18, 1997.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on February 18, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears
Calvin Tanner
Sammy Carter
James Sefter
Wayne Lewis
Elizabeth Edwards
Russell Moore
Claude A. Moore
Kevin O'Brien

Absent (Planning Commission):

Robert Johnson

Present (Board of Zoning Appeals):

Matt Lair
Cliff Harvey
James Cheatham
Elizabeth Edwards

Absent (Board of Zoning Appeals):

Bruce Drinkard

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
W. M. Caldwell - Clerk, Planning Commission

Mr. Paulette called the public hearing to order at 7:00 p.m. stated the purpose of the hearing was to receive public comment on a zoning

petition and gave the manner in which comments were to be addressed. Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition #97-305 of Beverly G. Cunningham for a variance to paragraph 170-81.D Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel 34-(1)-15 (Country Haven Estates, Lot 15) and is located off Route 611 between Route 721 and Route 670. Property is zoned A-1.

Mr. Paulette asked for comments on this petition.

Mr. Beverly Cunningham came forward and gave his address as 711 Chestnut Mountain Drive, Lynchburg, VA. Mr. Cunningham continued that he had erected a building on his property and after construction he found the building was closer than fifteen (15) feet from the property line. Mr. Cunningham stated one of the reasons this building was positioned as it was on the property was due to the lay of the land. Mr. Cunningham requested the Board grant his request for the variance.

Mr. Paulette called for other comments.

Hearing none, Mr. Carwile asked several questions of Mr. Cunningham.

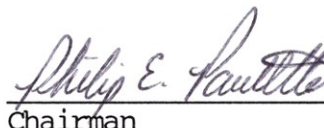
Mr. Caldwell read a letter into the record from Mr. George Phipps.
January 20, 1997

TO WHOM IT CONCERNS:

Beverly Cunningham and I, George Phipps, have come to an agreement pertaining to a boundary line dispute. It had to do with him building a shed right on the line. Sunday, I chose to forgive him and do not plan to pursue this any further. He does not need to move the shed. After speaking with him, we both decided to communicate more and try and be better neighbors. Let him keep his shed where it is. If necessary, I will deed 15" to him so he will be in compliance.

Sincerely,
George E. Phipps.

Being no further comments, Mr. Paulette closed the public hearing at 7:10 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on February 18, 1997 at 7:12 p.m. following the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District

Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:12 p.m. and began presenting the Administrative Items to be acted upon.

Mr. Paulette first asked if the Board wished to seek bids for engineering services at the landfill.

After discussion, and by consensus of the Board, it was agreed to bid engineering services for the landfill operation.

Mr. Paulette next presented a proposal from Central Virginia Laboratories and Consultants, Inc., that their contract for "Groundwater Sampling and Analysis Services" be extended through the year 2000 at the present rate.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to accept Central Virginia Laboratories and Consultants, Inc. proposal and extend their contract to provide "Groundwater Sampling and Analysis Services" until June 30, 2000, at the April 1995 rates. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented supplemental appropriation requests from Maintenance Department, Sheriff's Department and Commonwealth Attorney.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$7,600.00 to 4302-3002; \$511.12 to 3102-1002; \$3,852.84 to 3102-7001; \$520.00 to 2201-3002; and \$1,502.00 to 2201-7001 from general operating fund and \$563.00 to 2201-7001 from Asset Forfeiture Account (Commonwealth Attorney). Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a line item transfer request from the County Administrator.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to approve a line item transfer of \$3,152.10 from 1101-5804 to 1201-7001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented several requests for convention and education seminars.

After discussion, Mr. Carwile made a motion seconded by Mr. Bosiger to approve for Tina Carter and Tommy Lawson to attend seminars, with the County paying the expenses. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette drew the Board's attention to a letter from the School Board listing several items that have come up, that were not in the original bid proposal.

After discussion, and by consensus of the Board, Mrs. Ferguson was instructed to ask the School Board for detail bid specifications listing items bid.

Mr. Paulette then presented an add on to Mr. Randy Parr's bid, for repairing the Courthouse wall, in the amount of \$936.00. This add on would be for placing re-bar, in the section of wall being repaired, to strengthen the wall.

After discussion, and by consensus of the Board, Mr. Parr's proposal was denied.

Mr. Paulette next asked the members of the Electoral Board to join the Board of Supervisors.

A lengthy discussion followed concerning the pro's and con's of moving several of the voting precincts into nearby churches.

After discussion, and by consensus of the Board, it was agreed to wait until the year 2000 when the census would be required.

Mr. Paulette thanked the Electoral Board for their time and turned the Board of Supervisor's attention to the Regional Priorities list.

After discussion, and by consensus of the Board, the 1997 CDBG Regional Priorities are as follows: 1) Marketing Shell Building Program; 2) Industrial Employment Creation/Retention; 3) Tourism; and 4) Water and/or Sewer Improvements.

Mr. Bosiger commented, he felt the Board needed to appoint an IDA in order to enhance economic development efforts in the County.

After discussion, and by consensus of the Board, it was agreed that each Board member would submit names for appointment to the IDA at the March meeting.

Mr. Paulette next asked the Board for directions for the Planning Commission in Zoning and Subdivision Ordinance Review.

Mr. Torrence stated he would like to see the family exemption in the Subdivision Ordinance, reviewed to see if the definition of family members could be revised to include brothers and sisters.

Mr. Carwile stated he would like to see zoning done in a comprehensive way in the best interest of the County citizens.

Mr. Torrence stated he would like for the zoning map to be reviewed to see if the present zoning really applies to the areas zoned. Mr. Torrence continued he felt zoning maps needed to be done for Pamplin.

Mr. Paulette stated he felt the issues that are constantly coming before the Board for conditional use or variance need to be look at for change.

Mr. Carwile would like to look at all conditional uses in A-1 to see if they are necessary. Mr. Carwile also felt the Route 460 Corridor should be zoned B-1 or M-1.

Mr. Paulette called for executive session to discuss a personal matter.

Mr. Torrence made a motion seconded by Mr. Carwile to enter into executive session at 9:08 p.m. to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:52 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger, seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

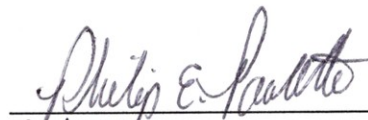
WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette on behalf of the Board of Supervisors, thanked Tina Carter for her job performance as landfill supervisor and complimented her on a job well done.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to recess until the work session on March 1, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint work session of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on March 1, 1997 at 8:30 a.m. in Town Council Chambers, Linden Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Dennis W. Torrence - Appomattox River District
Frank H. Carwile - Wreck Island District

Present (Town Council):

Ronnie Spiggle - Mayor
Dick Bass
Sammy Carter
Marvin Mitchell
Jimmy Mayberry
Steve Lawson
Rick Pack

Absent (Board of Supervisors):

Russell H. Moore - Piney Mountain District

Also Present:

Aileen T. Ferguson - County Administrator
Bobbie Jean Mullins - Administrative Assistant Town Council

Mayor Spiggle opened the meeting and welcomed everyone. Mayor Spiggle then continued with some topics that were of interest to the Town which included recycling and economic development.

Mr. Paulette then noted that the County was pleased with the progress the Joint Town County committee was making towards economic development. He continued that another major area of concern for the County was the landfill issue and that the County was having a study done to see what was the best route to take, for refuse disposal, in the future.

Mr. Bosiger then gave a report from the economic development/tourism committee and the progress that is being made.

A lengthy discussion followed, concerning economic development options.

After discussion, the general consensus was to move ahead with a possible joint Town/County industrial site.

Being nothing further the work session was adjourned at 11:45 a.m.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 3, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Thomas W. Lawson - County Attorney
Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Torrence to deliver the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the minutes of the regular meeting of February 3, 1997; the public hearing of February 18, 1997; and the recessed meeting of February 18, 1997 as submitted. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called Ms. Sandra Lindsay, VDOT Resident Engineer, to appeared before the Board.

Ms. Lindsay began by stating all signatures for right of way on Route 632 have been obtained. Ms. Lindsay continued that bids would be received in April for the work to be done on Route 666. Ms. Lindsay stated she had not received a report from traffic engineering on the marking of the center line on Route 608.

Ms. Lindsay then asked if anyone had comments or concerns for her.

Mr. Torrence stated there was a place in Route 627, near the bridge below Route 618, that needed to be repaired.

Mr. Bosiger asked if people had been complaining about gravel puncturing tires on Route 644.

Ms. Lindsay stated she used to receive numerous complaints but they had changed the gravel they were using and the complaints had stopped.

Ms. Lindsay stated she would look into this.

Mr. Carwile asked Ms. Lindsay to confirm that a request for access road into the new post office must come from the Town.

Ms. Lindsay stated that the original request must come from the Town but the funds would come from the County's allocation.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her.

Mr. Paulette next asked Mr. Terry Green and Danny Heath with NESBE Cable T. V. to appear before the Board.

Mr. Green began by explaining it was time to renew the cable franchise so therefore, he wanted to meet with the Board in order to explain the procedure.

Mr. Green gave an overview of their cable systems in Virginia and explained some of the improvements that have been planned for the future.

Mr. Green next answered questions from Board members.

Being nothing further, Mr. Paulette thanked and excused Mr. Green.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile stated he was interested in perusing an access road into the new post office site.

Discussion followed, with consensus of the Board, being for Mrs. Ferguson to find out who owns adjoining property that could be used for access road.

Mr. Paulette next began the Administrative Items.

Mr. Paulette presented a livestock damage claim for Winston Walton.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve a \$100.00 livestock damage payment to Winston Walton. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented supplemental appropriation requests:

Mr. Bosiger made a motion seconded by Mr. Moore to appropriate \$84.14 from the Law Library Fund for the month of March 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carwile to appropriate \$1,000.00 to Gladstone Volunteer Fire Department to help pay for generator. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$793.50 from Courthouse Maintenance Fund for General District Court's new chairs. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$200.69 for deductibles for insurance claims. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to transfer \$682.00 from 1101-2005 to 7301-2005. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained there were two (2) appointments necessary on the Board of Zoning Appeals. Mr. Matt Lair has agreed to serve another term.

Mr. Bosiger made a motion seconded by Mr. Moore to reappoint Mr. Matt Lair to another five year term to expire October, 2001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

After discussion, and by consensus of the Board, Mr. Carwile and Mr. Moore will bring a name for the other vacancy to the April 1997 meeting.

Mr. Paulette next asked if there were suggestions for appointments to the IDA.

The following names were chosen from a lengthy list:

1. Bill Stratton
2. Floyd Williams
3. Bill Jamerson
4. Walter Hancock
5. Bill Slagle
6. Leon Turner
7. Winfred Nash

Alternates:

1. Richard Robinson
2. Berk Drinkard
3. Jessee Hancock
4. Debbie Powell

Mrs. Ferguson was instructed to contact these people to see if they were willing to serve and report back to the Board.

Mr. Paulette next presented a request for a resolution of support for the Town's CDBG grant application.

Mr. Bosiger made a motion seconded by Mr. Carwile to adopt the following resolution:

**RESOLUTION OF SUPPORT
COMMUNITY DEVELOPMENT BLOCK GRANT
TOWN OF APPOMATTOX**

WHEREAS, there has been a long standing need for water and sewer facilities to be extended to certain areas in the Town of Appomattox, and;

WHEREAS, being a small locality, the Town of Appomattox has not had sufficient funding from local sources to undertake this project; and

WHEREAS, not only will the extension of these lines solve the water and sewer problems for the citizens in these areas, it will also make several industrial or business sites more attractive to prospects; and

WHEREAS, there are Community Development Block Grant funds available to localities to help with the cost of projects of this nature;

NOW THEREFORE BE IT RESOLVED, the Appomattox County Board of Supervisors at it's meeting on March 3, 1997, strongly supports this grant application.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette mentioned the Animal Ordinance Review Committee would like to meet with the Board on March 17, 1997 at 8:00 of this is acceptable.

By consensus of the Board, it was agreed to meet with the Animal Ordinance Committee on March 17, 1997 at 8:00 p.m.

Mr. Paulette presented a request from the American Legion for use of the Courtland Field.

Mr. Bosiger made a motion seconded by Mr. Moore to allow American Legion Post 104 to use the Courtland Field on April 30, 1997 for a circus. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented an appropriation request from the Commission of Revenue.

Mr. Bosiger made a motion seconded by Mr. Moore to appropriate \$151.93 to cover refunds on assessment of taxes. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

At 8:37 p.m. being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until March 10, 1997 at 7:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 10, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District

Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Paulette called the recessed meeting to order at 7:00 p.m. and explained that Judge Kerr was requesting his renovation begin and that the Board have new carpet installed in his office and J & D. Court.

After discussion, Mr. Bosiger made a motion seconded by Mr. Moore to move ahead with moving Court Services Unit out of the J & D. Court and have Judge Kerr's renovation done and carpet installed. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that the Extension Service would like for the Board to reconsider and have carpet installed in their hall.

After discussion, and by consensus of the Board, the decision was made to leave the hall area tiled at the Extension Office.

Mrs. Ferguson next provided information concerning the Contingency fund for the Middle School Project.

Mr. Torrence next asked the status of the Primary School ballfields.

Mrs. Ferguson explained it would be three to five years before the National Guard could do the grading, free of charge.

Mr. Paulette next explained that Mrs. Ferguson had presented the proposed FY98 budget and revenue estimates.

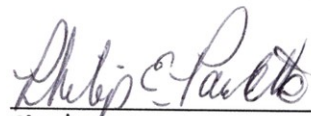
Budget discussion followed.

After discussion it was agreed each member would review the budget and return to the March 17, 1997 meeting with suggestions.

Mr. Paulette called for further business.

Mr. Carwile stated he had a name to present for the Board of Zoning Appeals, Mr. Wayne Phelps.

Being nothing further at 8:45 p.m. Mr. Bosiger made a motion seconded by Mr. Moore to adjourn until 7:00 p.m. on March 17, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on March 17, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
 Garek K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears - Chairman
 Sammy Carter
 Calvin Tanner
 Robert Johnson
 Wayne Lewis
 Kevin O'Brien
 Russell Moore
 James Seftor
 Claude A. Moore

Absent (Planning Commission):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson - County Administrator
 W. M. Caldwell - Clerk, Planning Commission

Mr. Paulette called the public hearing to order at 7:00 p.m., stated the purpose of the hearing was to receive comments on certain zoning petitions and gave the procedure for addressing comments.

Mr. Paulette than asked Mr. Caldwell to read the first petition.

Mr. Caldwell read petition #97-306 of L. A. "Roy" Varco for a Conditional Use Permit to allow Home Occupation in Accessory Building (sign manufacturing). Property is Tax Map Parcel 107(4)7 and is located on Route 644 between Route 727 and Route 694. Property is zoned A-1.

Mr. Paulette called for comments on this petition.

Mr. Frank Carwile stated he owned property across from Mr. Varco and he had no problem with this request.

Hearing no further comments, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #97-307 of Carl E. Wooten, Jr. and Charlotte and Eugene G. Blaylock to rezone property from R-1 to A-1. Property is Tax Map Parcels 90(7)B,C,D. Property is located on Route 460 between Route 630 and Route 633.

Mr. Gordon Staples came forward and gave his address as Evergreen, Va. Mr. Staples stated he was not sure how he felt about the rezoning because he didn't know what they planned to do.

Mr. Paulette invited Mr. Staples to attend the Planning Commission meeting and maybe have his questions answered.

Mr. Paulette called for other comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition #97-308 of Hill Crest Associates to rezone property from A-1 to M-1 with Conditional Use Permit to allow auto repairs and parts sales in existing building. Property is Tax Map Parcel 72(A)21 & 23. Property is located on Route 609 between Route 460 and County Line.

Mr. John Slusher came forward and requested the rezoning in order to be allowed to sell car parts on this property.

Mr. Paulette called for other comments. Hearing none Mr. Paulette asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition #97-309 for Courtland Realty and Health and Wellness for a Conditional Use Permit to allow Used Car Sales. Property is Tax Map Parcel 63(A)11. Property is zoned B-1 and is located on Route 460 between Route 613 and Route 732.

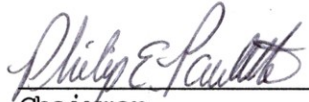
Mr. Paulette called for comments on this petition.

Mr. Terry Ramsey came forward and stated he would answer any questions anyone might have.

Mr. Paulette instructed Mr. Ramsey to attend the Planning Commission meeting in case someone had questions.

Mr. Paulette called for further comments on this petition.

Hearing none and being no further petitions, Mr. Paulette declared the public hearing closed at 7:12 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 17, 1997 after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:45 P.M.

Mr. Paulette asked Mr. Earl Dickerson and Mr. Jeff Grubbs of Hurt and Proffitt, to appear before the Board. Mr. Paulette explained that Hurt & Proffitt were presenting information on landfill operation.

Mr. Dickerson presented a handout of their first draft of Solid Waste study and reviewed each chart with the Board.

After review of the handout Mr. Dickerson explained that he would have a final document for the April 7, 1997 meeting as well as a recommendation for the Board.

Mr. Paulette next called the Animal Ordinance Review Committee to appear before the Board.

Mr. Berkley Cabiness began by going over the report that was provided for the Board at the March 3, 1997 regular meeting. Mr. Cabiness stated the Committee felt that education of the public was important; have more rabies clinics (at least five, with one being held in each district, and have them on Saturdays in order for the Treasurer's Office to have an employee at the clinics to sell county dog license); increase confinement period to 45 days and hire additional personnel during this time; and stress that State law requires vaccination of cats.

A lengthy discussion followed.

After discussion, Mr. Paulette thanked the committee for their time and comments.

Mr. Paulette asked Ms. Tina Carter to appear before the Board.

Ms. Carter explained that the undercarriage repairs were necessary on the 973 at a cost of \$26,000.00 or the Board could consider the purchase of a new loader.

After discussing the options, Mr. Bosiger made a motion seconded by Mr. Moore to do undercarriage repairs to the 973 at a cost of \$26,000.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Ms. Carter next explained that there were some problems with the leachate pond. Ms. Carter continued by presenting the options for correcting the problem with the Board.

After discussion, Tina was instructed to try airiation and see what could be done so the Town would continue to accept our leachate.

Mr. Paulette next presented appropriation requests.

Mr. Carwile made a motion seconded by Mr. Bosiger to appropriate \$2,235.00 to pay for electrical work done at the Health Department. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$7,730.00 from Courthouse Maintenance for the month of March, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Memorial United Methodist Church for the use of the Courtland field for Family Day.

Mr. Torrence made a motion seconded by Mr. Bosiger to allow Memorial United Methodist Church to use the Courtland Field on June 1 or June 8 for Family Day. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the Magistrate for a copy machine for her office.

After discussion, and by consensus of the Board, Mrs. Ferguson was asked to inquire as to the number of copies the Magistrate makes. Consideration would be given to the possible joint use of a copy machine by the magistrate.

Mr. Paulette next asked Mrs. Ferguson to present any budget information that she had for the Board.

Budget review and discussion followed.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to set the tax rates for 1997 as follows:

PROPOSED TAX RATES 1997-98		
Real Estate	\$0.52	per one hundred dollars of assessed valuation
Personal Property	\$3.50	per one hundred dollars of assessed valuation
Merchant's Capital	\$1.00	per one hundred dollars of assessed value

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that an executive session was necessary to discuss a legal matter.

Mr. Moore made a motion seconded by Mr. Torrence to enter into executive session at 10:35 p.m. to discuss a legal matter. Vote: Mr.

Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 10:45 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence aye.

On a motion by Mr. Moore, seconded by Mr. Bosiger the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

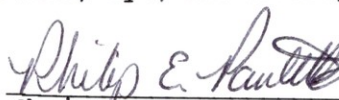
NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was any action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$1,200.00 to 2201-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until March 24, 1997 at 7:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 24, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District

Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order and asked Mr. David Garrett, Chief, Appomattox Volunteer Fire Department, to appear before the Board.

Mr. Garret explained that his reason for coming before the Board was that it was time to replace one of the fire engines. Mr. Garrett explained that these units need to be replaced every 20 years. Mr. Garrett continued by providing information on the old unit and prices for replacing or refurbishing this unit.

After discussion, and by consensus of the Board, Mr. Garrett was asked to obtain bids on a new truck and return to the Board with these prices.

Mr. Paulette thanked and excused Mr. Garrett.

Mr. Paulette next presented requests from Stonewall Vineyards and Stonewall Antique Power Association, Inc. for Musical and Entertainment Permits.

Mr. Moore made a motion seconded by Mr. Bosiger to approve Musical and Entertainment Permits for Stonewall Vineyards-Mayfest and Stonewall Antique Power Associations, Inc.-Tractor Show. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Lynchburg City Council for support of a regional Commission on Organ and Tissue Donation and Transplantation.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution.

RESOLUTION ORGAN DONATIONS AND TRANSPLANTATIONS

WHEREAS, statistics from the United Network for Organ Sharing reveal that there are 40,147 organ donors, which resulted in 92,619 transplanted organs in the United States in the past five years;

WHEREAS, a number of patients on waiting lists for organ transplants increased 180% and the median waiting time increased for most patients, and the total deaths for persons on the solid organ transplant waiting list increased 98% from 1988 through 1993;

WHEREAS, of the approximately 1,100 Virginia residents who are on organ donor waiting lists more than 100 will die while waiting for organs;

WHEREAS, these statistics clearly demonstrate a dramatic need for increased awareness, coordination and education to stimulate action on organ and tissue donations, and knowledge of transplantations before the situation becomes even more critical;

WHEREAS, during its 1996 session, the Virginia General Assembly established a joint House-Senate Study Committee to investigate ways to increase the supply of vital donor organs for transplantation in the Commonwealth of Virginia;

WHEREAS, Fairfax and Roanoke Counties have established volunteer Commissions on Organ and Tissue Donation and Transplantation and are urging other local governments to implement similar commissions;

NOW, THEREFORE, BE IT RESOLVED by the Appomattox County Board of Supervisors as follows:

- (1) That the Board of Supervisors supports the formation of a regional Commission on Organ and Tissue Donation and Transplantation.
- (2) That the Board of Supervisors encourages the localities in the Region 2000 area to join with Lynchburg in creating a regional Commission on Organ and Tissue Donation and Transplantation.
- (3) That it is intended that the Commission will be staffed and funded through volunteer efforts.
- (4) That the Clerk to the Board of Supervisors is directed to forward copies of this resolution to the governing bodies in the Region 2000 area requesting that (a) each local governing body adopt a resolution to support the establishment of a regional Commission on Organ and Tissue Donation and Transplantation, (b) that each locality appoint a citizen to serve on a regional task force to organize and design a regional commission, bringing together the views, talents and resources of interested citizens, and (c) directing that the task force report back to the participating localities within six months to present the task force's recommendations.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request for a supplemental appropriation to the Comprehensive Services Board.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate \$1,560.94 to the Comprehensive Services Budget to pay bills for services. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a Line Item Transfer Request from Mrs. Ferguson to pay for having Landfill Financial Assurance documents drafted.

Mr. Bosiger made a motion seconded by Mr. Torrence to transfer \$750.00 from 1101-2005 to 4208-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked the other Board members to set two dates for public hearings on the Cable Franchise renewal.

After discussion, and by consensus of the Board, April 7, 1997 at 6:45 p.m. and May 5, 1997 at 6:45 p.m. were the established public hearing dates.

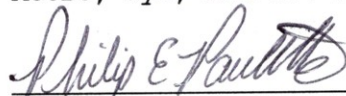
Being no further administrative items, the Board of Supervisors continued FY98 Budget Review.

The following changes were made to the FY98 budget:

1209	deduct	\$2,500.00
1302	deduct	1,000.00
2106	deduct	2,300.00
2130	deduct	1,145.00
3102	deduct	5,330.00
	Deduct	\$42,110.00 and encumber
3301	deduct	2,000.00
4203	deduct	200.00
4204	deduct	1,000.00
7104	deduct	5,047.00
7301-1001	deduct	41,926.00
7301-1003	add	26,675.00
7301-2001	deduct	1,166.00
7301-2002	deduct	5,316.00
7301-2006	deduct	147.00
8105	add	50,000.00
9104	add	50,000.00

After budget review, and by consensus of the Board, it was agreed to donate \$1,000.00 to Red House Volunteer Fire Department from 1101-2005.

Being nothing further, Mr. Bosiger made a motion seconded by Mr. Moore to adjourn until 7:00 p.m. on March 31, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 31, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District

Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Paulette opened the meeting and welcomed Mrs. Joyce Jamerson, Interim Superintendent of Schools, and the Members of the School Board.

Mr. Paulette then asked Mrs. Jamerson if she would like to highlight areas in her budget.

Dr. Richard Poe, Chairman of the School Board, stated the School Board had tried to address the needs in the school system while keeping the budget as tight as possible. He continued that he felt this was a very realistic budget.

Mrs. Jamerson began by providing the Board with a breakdown of the areas that increased in the budget and an explanation for the increases.

Mrs. Jamerson asked if anyone had specific questions that she could answer.

Information was provided concerning the proposed alternative education program.

Mrs. Jamerson requested that the Board of Supervisors make a supplemental appropriation of \$277,000.00 for the first debt service payment on the Middle School Project. Mrs. Jamerson explained the payment was due July 15th and in order to have the check in Richmond by the 15th they would like to write the check from the FY97 budget year.

Discussion followed with consensus of the Board being they would consider this request at a later date.

Mr. Paulette thanked Mrs. Jamerson and the School Board for their time.

Mr. Paulette presented the Industrial Development Authority members for the Board to establish terms of office.

The following is a list of members and terms:

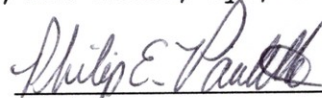
Richard Robinson - 2 years
J. B. Drinkard, Jr. - 3 years
William S. Slagle - 1 year
Charles Leon Turner - 1 year
Winfred Nash - 2 years
Walter Edward Hancock - 3 years
Floyd Williams - 4 years

Mr. Paulette next presented a request from Mr. David Notestein that he be allowed to cut off 1.50 acres from his land, without road frontage, on a fifty (50) foot right-of-way, for his niece.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to make a special exception to the subdivision Ordinance to allow David A. Notestein to convey a 1.50 acre parcel to his niece, said parcel having no frontage on a state maintained highway. This exception is contingent upon a septic permit being issued on this parcel. Vote: Mr. Paulette, abstained; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for further business.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Carwile to adjourn until the next regular meeting. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on April 7, 1997 at 6:45 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

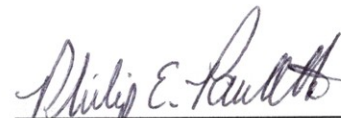
Also Present:

Aileen T. Ferguson, County Administrator

Mr. Paulette opened the public hearing at 6:45 p.m. and stated the purpose of the hearing was to receive public comment on future cable related needs and interests and on the cable operations overall performance. Mr. Paulette continued by giving the procedure for addressing the board.

Mr. Paulette next called for comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:50 p.m.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 7, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence, Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Carwile to give the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Torrence noted several corrections to the minutes of March 24, 1997 page "O". Also, March 31, 1997 page "P" and "Q" corrections were noted.

Mr. Torrence made a motion seconded by Mr. Carwile to approve the minutes of a joint work session March 1, 1997; the regular meeting of March 3, 1997; the recessed meetings of March 10, 1997, March 17, 1997, March 24, 1997, March 31, 1997; and a joint public hearing of March 17, 1997; as corrected. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called on Ms. Sandra Lindsay, VDOT, Resident Engineer to appear before the Board.

Ms. Lindsay asked if any Board member had questions for her.

Ms. Lindsay answered several questions of Board members.

Mr. Paulette thanked and excused Ms. Lindsay.

Mr. Paulette next recognized a group of Boy Scouts and their leaders and thanked them for attending the meeting.

Mr. Paulette then called for Supervisors Concerns.

Mr. Carwile mentioned the access to the new post office.

Discussion followed as to the pro's and con's of bringing an access road out on Ferguson Street.

Mr. Torrence stated he felt the access should come out at the stoplight at the Dairy Queen.

Mr. Torrence also stated he felt the Board should look into a street across from Morton Lane to intersect with Atwood Street.

Discussion followed with a request to recommend this to the Town.

Mr. Paulette next called for Administrative Items.

Mr. Paulette presented the Planning Commission Recommendations from the March 17, 1997 public hearing.

Mr. Moore made a motion seconded by Mr. Bosiger to approve zoning petition numbers 97-306, 97-307, 97-308 and 97-309. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from Central Virginia Electric Co-op for a waiver of all building permit fees for installation of load management switches in residences.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to waive all building permit fees except for \$2.00 per installation of load management switches for Central Virginia Electric Co-op. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the State for Appomattox County to house inmates for a fee.

After discussion and by consensus of the Board, it was agreed not to enter such an agreement for housing State inmates.

Mr. Paulette next presented supplemental appropriation requests from Sheriff's Department; Landfill for Emanuel Tire of Virginia; School Board; Treasurer; Law Library; and Emergency Services.

After discussion, Mr. Torrence made a motion seconded by Garet Bosiger to appropriate \$405.83 to 3102-1002; \$4,0984.14 to 3102-5413; \$11,873.81 to 4204-5804; \$3,000.00 to 6101; \$87.50 to 1101-5803; \$378.85 to Law Library Fund; and up to \$800.00 for Emergency Services to purchase Computer. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate \$480.00 from Courthouse Maintenance for the month of April, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called on Mr. Earl Dickerson and Mr. Jeff Grubbs, representatives of Hurt & Proffitt, to appear before the Board and present the Solid Waste Disposal Study. (See April 1997 Board File.)

A lengthy discussion followed, with an extensive review of the study. After discussion, and by consensus of the Board, it was agreed to look into the possibility of composting instead of landfilling.

Mr. Carwile questioned Mr. Dickerson on the problems with the leachate pond at the landfill.

Mr. Dickerson explained what had occurred with the leachate pond and presented several options for resolving this problem.

Mr. Paulette thanked and excused Mr. Dickerson and Mr. Grubbs and turned the Board's attention to the budget.

Budget discussion continued.

After discussion, and by consensus of the Board, it was agreed to reduce the school's FY98 budget by \$100,000.00; reduce Social Services FY98 budget by \$10,000.00; and take the balance from operating reserve to balance the County's FY98 budget.

Mr. Paulette explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Moore to enter into executive session at 9:10 P.M. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session at 9:33 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger the following was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger next informed the other Board members that the IDA would be meeting on April 17, 1997 and he would be briefing them on what the Board was expecting of them. Mr. Bosiger continued that if any Board member had anything to relay to the IDA, please let him know.

Mr. Carwile next offered to take his truck to the landfill and try aerating the leachate pond so that the Town would accept our leachate.

The other Board members thanked Mr. Carwile for his offer.

At 10:24 p.m. being no further business, Mr. Torrence made a motion seconded by Mr. Bosiger to adjourn until after the public hearings on April 21, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held at 6:30 P.M. on April 21, 1997 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order and stated the purpose of the hearing was to receive public comment on Appomattox County's proposed FY98 Budget. Mr. Paulette then gave the procedure for addressing comments.

Mr. Paulette next asked if anyone wished to speak.

Mrs. Shirley Eye came forward and stated she was principal at Appomattox County High School. Mrs. Eye continued that there was a need for alternative education in the school system and that this is a top priority among teachers.

Mrs. Eye then gave statistics on the number of problem students and some of the major complaints that they have to deal with on a daily basis.

Mrs. Eye closed by saying she would be happy to talk with the Board and answer any questions they may have.

Mr. Paulette called for other comments.

Mrs. Marcey Jones came forward and stated she was a teacher in the school system but she also had a child in school here. Mrs. Jones continued that she strongly endorses the Alternative Education Program and she felt this program would benefit everyone, teachers and students alike.

Mr. Paulette called for other comments.

Mr. Matthew Conrad came forward and stated he was a student at ACHS. He continued that alternative education was a win, win, win situation that everyone would benefit from.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:50 P.M.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox Planning Commission was held on April 21, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Wayne Lewis
Calvin Tanner
Robert Johnson
Sammy Carter
Claude A. Moore
Al Sears (late)
Russell Moore

Absent (Planning Commission):

Kevin O'Brien
Elizabeth Edwards
Jim Sefter

Also Present:

Aileen T. Ferguson, County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the public hearing to order at 7:00 p.m. and stated the purpose of the hearing was to receive public comment on several

zoning petitions. Mr. Paulette continued by stating the procedure for addressing comments.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition 97-310 of H. J. Puckett for a Conditional Use Permit to allow off premise sign to be located on Parcel Tax Map #73-A-28 located on Route 460 between Route 647 and Route 689. Property is zoned B-1.

Mr. Paulette called for comments concerning this petition.

Mrs. Pat Boyer came forward and stated she operated the Salvation Army Thrift Store in Appomattox. Mrs. Boyer thanked the Board for their support in the past and asked they approve their request.

Mr. Paulette called for other comments.

Mr. Robert Boyer came forward and stated the Salvation Army Thrift Store had been trying to attract more business. He contained that the by-pass had decreased their "drop-in" business considerably and he felt a sign at Mr. Puckett's would make people aware the store was there.

Mr. Paulette called for other comments.

Hearing none, he asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 97-311 of United States Cellular for a Conditional Use Permit to allow 190 ft. tower on property located on Route 741 between Route 24 (Campbell County) and Route dead end. Property is zoned A-1 and is Tax Map Parcel 72-A-9.

Mr. Paulette called for comments on this petition.

Mr. Chuck Riley came forward and gave his address as 5540 Forest Road, Roanoke, Va. Mr. Riley stated he had begun a site search in the Concord area in March, looking for a site close to Route 460. Mr. Riley continued that they meet all ordinance requirements and would appreciate a favorable decision.

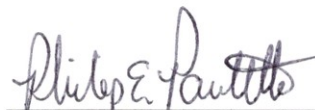
Mr. Paulette called for other comments.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 97-312 of Kurt & Julie Burge and others to rezone property from R-1 to R-2. Property is located on Route 647 between Route 460 and Route 728 and is part of the lots shown on Tax Map 74-A-13 thru 31.

Mr. Paulette called for comments on this petition.

Hearing none, and being no further petitions, Mr. Paulette declared the public hearing closed at 7:10 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 21, 1997 at 7:15 P.M., following the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette reconvened the meeting at 7:15 P.M., and asked the Board to review the supplemental appropriation requests listed on the agenda.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$4,392.00 to 5101-5800; \$720.00 to 2201-3002; \$4,465.50 to 4302-3002; \$1,012.00 to 2109-3009; \$6,429.00 to 2109-5413; and \$260.92 to the Library Fund. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a special request from FHA/HERO's for funding at attend national convention.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$1,000.00 to FHA/HERO's - ACHS, contingent upon them raising all necessary funds to attend national convention. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a livestock damage claim from Mr. Rick Lewis.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to approve a livestock damage claim of \$150.00 for Rick Lewis. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from the Town of Pamplin for a permit to hold their annual Pamplin Day and that the bond and fee be waived.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve a permit for Pamplin Day, May 10, 1997 and that the fees and bonds be waived. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request for a resolution declaring April as Child Abuse Prevention Month.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

CHILD ABUSE PREVENTION MONTH

WHEREAS, Numerous individuals and organizations across Virginia work daily to end the cycle of child abuse and neglect and work to provide families the assistance they need; and

WHEREAS, the incidence of child abuse and neglect affects a reported 3.1 million children in the United States annually; and

WHEREAS, the Commonwealth of Virginia is committed to supporting our families through programs that help prevent child abuse and neglect; and

WHEREAS, all children should have the opportunity to benefit from a strong family that provides valuable support and caring for its members that last a lifetime; and

WHEREAS, our society must resolve to preserve, protect and promote the time-honored ideal of a stable family in order to strengthen the moral, social and economic underpinnings of the Commonwealth, we must work to ensure that all children receive a proper upbringing from parents and adults who make them feel safe, happy and loved;

NOW, THEREFORE, I, Philip Paulette, Chairman, Appomattox County Board of Supervisors, do hereby proclaim April 1997 as CHILD ABUSE PREVENTION MONTH in the COUNTY OF APPOMATTOX, and I call this observance to the attention of all our concerned citizens.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette informed the other Board members that Mr. Lawson had recommended some changes to the cable TV Franchise Agreement and they were enclosed for the Board's review.

Mrs. Ferguson asked if the Board wished to look into leveling the playing fields at the Primary School.

After discussion, and by consensus of the Board, it was agreed that Mrs. Ferguson would set up a meeting with Coach Kane, Ann Lawson, Steve Lawson and see what needed to be done to fix several playing fields.

Mr. Paulette next asked that the Board act on petition number 97-311 of United States Cellular so they can proceed with their tower.

Mr. Bosiger made a motion seconded by Mr. Torrence to accept the Planning Commission recommendation and approve petition 97-311 of United States Cellular for a conditional use permit to allow 190 ft tower on property located on Route 741 between Route 24 (Campbell County) and dead end. Property is zoned A-1 and is Tax Map Parcel

72-A-9. Vote: Mr. Paulette, aye, Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next invited the Planning Commission to join the Board to discuss zoning questions.

A lengthy discussion followed with the Board of Supervisors and the Planning Commission discussing areas of concerns with the Zoning and Sub-division Ordinances.

Mr. Paulette thanked the Planning Commission for their comments and excused them.

Mr. Paulette next asked Mr. Donald Martin to appear before the Board.

Mr. Martin began by presenting copies of bids received for painting the County owned buildings and paving parking lots.

Mr. Martin answered questions of the Board members concerning the bids and the work to be performed.

Mr. Torrence made a motion seconded by Mr. Bosiger to accept Lynchburg Paint Contractors, Inc., bid of \$29,880.00 for painting County owned buildings and Marvin W. Templeton and Sons, Inc. bid of \$47,450.00 for paving parking lots and appropriate funds accordingly, using Courthouse Maintenance Funds where applicable. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Martin next presented information on maintaining vinyl floors to a high gloss shine.

After reviewing information provided, the Board of Supervisors, by consensus, decided not to change the present cleaning method for vinyl floors.

Mr. Paulette next asked if the other Board members wished to make changes to the budget after hearing public hearing comments.

Mr. Torrence made a motion seconded by Mr. Moore to reinstate \$1,000.00 to the Registrar's FY98 budget.

Mr. Carwile made a substitute motion to add another \$1,000.00 to the Registrar's FY98 budget.

Mr. Carwile's substitute motion died for lack of a second.

Mr. Paulette called for a vote on the original motion. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

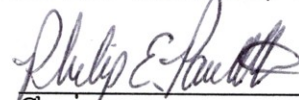
Mr. Torrence made a motion to reinstate \$100,000.00 to the School Board's FY98 budget.

The motion died for lack of a second.

Mrs. Ferguson explained that she had spoken to Mr. Berkley Cabiness, Chairman of the Library Board and Mr. Cabiness had agreed that one additional full time position would meet the needs at the Library.

By consensus of the Board, it was agreed to allow the Library Board to hire one additional full time person with funding for salary and benefits to be taken from part-time salaries.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until 7:00 P.M. on April 28, 1997 at Hurt & Proffitt's Office in Lynchburg. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 28, 1997 at 7:00 p.m. at Hurt & Proffitt's Conference Room, Lynchburg, Va.

Present:

Garet K. Bosiger - Falling River District
Russell H. Moore, Vice-Chairman - Piney Mountain District
Frank H. Carwile - Wreck Island District

Absent:

Philip E. Paulette - Courthouse District
Dennis W. Torrence - Appomattox River District

Also Present:

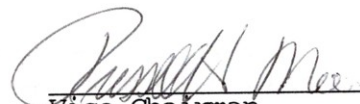
Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Tina D. Carter - Landfill Supervisor

Mr. Earl Dickerson, Hurt & Proffitt, Inc., narrator of the meeting, opened the meeting at 7:00 p.m. and introduced representatives with HUWS Corporation. Mr. Dickerson then asked Marie-Claude Boucher to explain how the Herhof Waste System operated.

Ms. Boucher began by presenting packets of information on the Herhof Waste System (on file in April 1997 Board file).

Ms. Boucher and her associates presented a very informative program on the composting system and answered questions of all present.

Meeting closed at 9:00 p.m.


Vice-Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on May 5, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve the minutes of the Public Hearings of April 7, 1997 and April 21, 1997; the regular meeting of April 7, 1997 and the recessed meetings of April 21, 1997 and April 28, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called upon Ms. Sandra Lindsay, VDOT, Resident Engineer, to appear before the Board.

Ms. Lindsay began by briefing the Board on several problems that had been directed to her at previous meetings, and the action that had been taken to correct these problems.

Ms. Lindsay then answered questions from Board members.

After discussion, Mr. Paulette thanked and excused Ms. Lindsay, and called Mr. Franklin Vaughan, President, Appomattox Chamber of Commerce, to appear before the board.

Mr. Vaughan came forward and explained that the ad in the travel guide had generated an extreme amount of response. Mr. Vaughan continued that in one month 396 requests for information had been received. Mr. Vaughan explained this was wonderful, but had also created shortfalls in postage, as well as brochures.

Mr. Vaughan asked if the Board would consider 1/2 funding again this year toward the brochures and an additional allocation for postage of \$1,000.00 to \$1,500.00 annually to meet the present demand for information.

After further discussion, and by consensus of the Board, it was agreed that as the needs arise, Mr. Vaughan was to let the Board know and funds would be appropriated to help with postage and brochure expenses.

Mr. Paulette then thanked and excused Mr. Vaughan.

Mr. Paulette explained that an executive session was necessary to discuss a personnel matter.

Mr. Bosiger made a motion seconded by Mr. Moore to enter into executive session at 7:48 p.m. to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 8:26 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was action from the executive session.

Mr. Carwile made a motion seconded by Mr. Bosiger for the County to pay their share of Mrs. Joan Chenault's retirement from January 1984 to June 1995, and appropriate same. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented Planning Commission recommendations from the April 21, 1997 public hearing.

Mr. Moore made a motion seconded by Mr. Torrence to accept the Planning Commission recommendation and approve Petition #97-310 of H. J. Puckett for a Conditional Use Permit to allow off premise sign to be located on Tax Map Parcel #73-A-28A located on Route 460 between Route 647 and Route 689. Property is zoned B-1. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called for Supervisor Concerns.

Mr. Carwile discussed his concerns with the rabies problem in Appomattox and surrounding counties.

A lengthy discussion followed.

After discussion, and by consensus of the Board, it was agreed that a part-time person could help eliminate some of Mickey's problems with working overtime.

Mrs. Ferguson was instructed to talk with the Landfill Supervisor to see if landfill personnel could handle the feeding and cleaning at the pound and report back to the Board.

Mr. Carwile next asked the other members of the Board what their feelings were concerning the outcome of their meeting with the Planning Commission.

Discussion followed with each Board member giving their impressions from the meeting.

Mrs. Ferguson was asked to obtain information on land use versus zoning.

Mr. Torrence next asked that Mrs. Ferguson request answers to several questions on Middle School construction. #1 - What is the difference in site preparation actual cost and estimated cost?; #2 - Would like to see the plan for the \$53,000.00 canopy that was eliminated?; #3 - Storm drainage estimate versus actual cost?

Mr. Bosiger also requested that Mrs. Ferguson request the school do a more professional survey on the dangers to teachers in the classroom. He was concerned with the figures presented at the budget public hearing by Mrs. Eye.

Mr. Paulette next directed the Board's attention to supplemental appropriation requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to make the following appropriations: \$5,575.25 to Comprehensive Services; \$35.00 to 3501-5402; \$392.70 to 1101-5803; \$192.05 from Law Library; \$119,645.40 to the School Board; and \$12.49 to 1101-5803. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

The Board of Supervisors then asked Mrs. Ferguson to invite Mr. Martin, Director, Social Services Department and Mrs. Trent, Office Manager, to meet with the Board to discuss their request for \$13,143.38 in additional funding as well as their FY98 budget request, at 8:00 P.M. on May 19, 1997.

Mr. Paulette next presented a livestock damage claim from Rick Lewis.

Mr. Moore made a motion seconded by Mr. Torrence to pay Rick Lewis \$170.00 for livestock killed by stray dogs. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next mentioned that the judge's chair needed replacing.

After discussion and by consensus of the Board, it was agreed for Mr. Lawson to purchase a chair for the Judge, not to exceed \$1,000.00, with funding to come from Courthouse Maintenance.

Mr. Paulette explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into executive session at 9:38 P.M. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger, it was resolved the Board of Supervisors return to regular session at 9:47 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger the following was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was any action necessary from the executive session.

Mr. Carwile made a motion seconded by Mr. Torrence to purchase 1.8 acres of property, adjoining the landfill from Herbert and Mildred Jamerson at \$3,000.00 per acre. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Torrence made a motion seconded by Mr. Moore to recess until after the public hearing on May 19, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on May 19, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present (Board of Supervisors);

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Calvin Tanner
Wayne Lewis
Elizabeth Edwards
Jim Sefter
Sammy Carter
Robert Johnson
Russell Moore

Absent (Planning Commission):

Al Sears
Claude A. Moore
Kevin O'Brien

Also Present:

Aileen T. Ferguson, County Administrator
W. M. Caldwell, Clerk to Planning Commission
Andy Carroll, Assistant County Administrator

Mr. Paulette called the public hearing to order, stated the purpose of the zoning hearing was to receive public comment on several zoning petitions, and gave the procedure for addressing comments.

Mr. Paulette then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition #97-313 of William S. Slagle to rezone property from R-2 to B-1. Property is Parcel Tax Map 64A5-12BKB5 & part of 8, located on Atwood Street between Church Street and Lee Street.

Mr. Paulette called for comments concerning this petition.

Joseph Hoffman came forward and stated he lives beside the property being considered for rezoning and that he is opposed to the rezoning. Mr. Hoffman continued that he had some questions concerning the use of the property, etc.

Mr. Paulette advised Mr. Hoffman that he would need to ask specific questions in the Planning Commission meeting.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 97-314 of Katie E. Hall for a Conditional Zoning Permit to allow mobile home on one acre lot with existing dwelling. Property is located on Route 608 between Route 26 and Route 712. Property is zoned A-1 and is Parcel Tax Map #38-A-105.

Mr. Paulette called for comments on this petition.

Mr. & Mrs. Grover Hall and Mrs. Katie Hall came forward and stated that in 1993 a mobile home was placed on this property in order for someone to help care for Mrs. Katie Hall. Mrs. Grover Hall stated the only change to this present condition would be they were changing the mobile home out for a newer home.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 97-315 of Thomas E. O'Brien and John A. Masserini to rezone property from M-1 to B-1, and Conditional Use Permit to allow Sporting Goods Store. Property is located on Route 460 between Route 647 and Route 703, and is Parcel Tax Map #62-A-12.

Mr. Paulette called for comments on this petition.

Mr. John Masserini came forward and stated he was at the meeting to answer any questions that anyone might have.

Mr. Paulette called for other comments.

Ms. Dale Cyrus came forward and stated her property joined Mr. O'Brien's property. Ms. Cyrus stated she was not necessarily against the request but she wanted their joint access widened or Mr. O'Brien to use a separate access into his business.

Mr. Paulette called for other comments.

Mrs. Vickie Reagans came forward and stated her property joined the property of Mr. O'Brien. Ms. Reagans stated that this was a nice residential community that was well populated. She also asked the

Planning Commission to consider the impact that the existing mobile home park, in the area, had on their property.

Mr. Paulette called for other comments.

Hearing none and being no further petitions, Mr. Paulette declared the public hearing closed at 7:10 P.M.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on May 19, 1997 at 7:48 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the recessed meeting to order at 7:48 P.M. and welcomed Circuit Court Judge, the Honorable Richard Blanton; General District Court Judge, the Honorable Robert Woodson; and Juvenile & Domestic Relations Court Judge, the Honorable Sam Kerr.

Mr. Paulette continued that he would turn the meeting over to the judges for their comments on the needs of the Courts.

Judge Blanton began by stating that ADA regulations had not been kept up with over the years.

Judge Blanton stated the lift took care of some accessibility problems, but did not address the juryroom space or bathroom area that was not handicapped accessible. Also, Judge Blanton stated the sloping aisles were a problem for the elderly, as well as, the handicapped.

Judge Blanton continued by listing other areas of concern which included: witness rooms, attorney/client conference room, Judges Chambers and Law Library should not be in the same room, should be bathroom for the Judge's Chambers, should have only one public entrance to the Courthouse, Commonwealth's Attorneys office not large enough, probation officer space also not adequate.

Judge Blanton then asked Judge Woodson if there were concerns he would like to address.

Judge Woodson stated he felt an alcove or some kind of separation was needed in General District Court Clerk's office for people who were paying fines.

Judge Blanton asked Judge Kerr if there were problems in J & D Court that needed addressing.

Judge Kerr stated his problems were being taken care of now and he was well pleased with the County's effort to meet his needs.

Mr. Paulette asked Judge Blanton if he had any suggestions about how to correct the existing problems.

Judge Blanton stated he did not, but most Counties hired a consultant to come in and access the space, review the needs and advise as to what could be done to correct problems. Judge Blanton stated the next step would be bids for architectural services.

Mr. Paulette stated the Board has been addressing numerous problems around the Courthouse Complex and would begin looking into the possibilities in the Courthouse itself.

Judge Blanton stated he realized this project would not be accomplished over the next few months but should be begun as soon as possible.

Mr. Paulette thanked the Judges for their comments, and assured them the Board would look into the Judge's concerns.

Mr. Paulette next asked Mr. Moore what the Planning Commission recommendation was on Mr. O'Brien and Mr. Masserini's petition.

Mr. Moore stated the Planning Commission recommended approval with the condition that Mr. O'Brien upgrade the drive as requested by Ms. Cyrus.

Mr. Moore made a motion seconded by Mr. Bosiger to accept the Planning Commission recommendation and approve petition #97-315 of Tommy O'Brien and John Masserini to rezone property from M-1 to B-1 and conditional use permit to allow Sporting Goods Store on property located on Route 460 between Route 647 and Route 703, parcel tax map #62-A-12, with the condition that Mr. O'Brien improve the driveway to the property.

Mr. Torrence amended the motion that the driveway be completed within 90 days, seconded by Mr. Carwile.

Mr. Paulette called for a vote on the amendment. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called for a vote on the original motion. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked Mr. Lawson if he had information on the proposed franchise renewal.

Mr. Lawson stated he had reviewed the agreement and there was only one area that he wished the Board to decide on. The issue was concerned with whether the Board should require a bond.

Mr. Bosiger made a motion seconded by Mr. Torrence that no bond be required in the cable TV franchise agreement. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torence, aye.

Mr. Paulette next welcomed Mr. Richard Martin, Director of Social Services and Mrs. Regina Trent, Office Manager and asked that they explain their proposed FY98 budget request.

A lengthy review of Social Services proposed FY98 budget followed with Mr. Martin and Mrs. Trent answering questions of Board members.

After discussion, Mr. Paulette reminded the other Board members of Mr. Martin's request for furniture and special needs funds.

Mr. Martin presented a report showing expenditures of the 1993 funds received for Special Needs and explained he had not received prices for the furniture, as of yet.

Mr. Martin next explained a new initiative designed to reduce out of wedlock births and requested a resolution of support for this project.

Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

**RESOLUTION IN SUPPORT OF
THE PARTNERS IN PREVENTION INITIATIVE**

WHEREAS, the federal government has allocated \$100 million dollars in each of federal fiscal years 1999 and 2002 to be divided among the five states that have most reduced out-of-wedlock births in the previous two years without an increase in the abortion rate; and,

WHEREAS, the Commonwealth of Virginia has become the first state in the nation to announce its candidacy for one of these federal awards by supplying incentives to local governments, service agencies, religious institutions, nonprofit organizations and citizens to develop local solutions to the out-of-wedlock birth problem; and,

WHEREAS, the Commonwealth of Virginia will provide technical and other forms of startup assistance to any Virginia localities that officially partner with the state in competition for the federal award, and the state proposes to distribute any federal award Virginia receives directly to it's Partners in Prevention; and,

WHEREAS, a locality becomes a Partner in Prevention by adopting a formal resolution of participation in the initiative and by submitting

a plan, reflecting community input, to reduce out-of-wedlock births locally; and

WHEREAS, the County of Appomattox wishes to join other localities in this Planning District as well as in the commonwealth in this important community objective;

WHEREAS, the Counties of Appomattox, Amherst, Campbell, Bedford, and the City of Lynchburg are cognizant to the issues associated with out-of-wedlock births and have coalesced to mobilize our communities to combat this problem in conjunction with other localities in the Commonwealth;

THEREFORE, BE IT RESOLVED, that the County of Appomattox is authorized, by unanimous vote of the Appomattox County Board of Supervisors, to become a Partner in Prevention with the Commonwealth of Virginia this nineteenth day of May, 1997.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked Mr. Martin and Mr. Trent for their budget presentation and excused them.

Budget discussion continued by the Board of Supervisors.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to reduce Social Services budget by \$2,878.00 in order to balance the FY98 budget. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$2,000.00 to Special Needs Account for Social Services. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that a resolution was necessary authorizing Mrs. Ferguson to sign documents pertaining to "Old Davis Lane".

Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

RESOLUTION

BE IT RESOLVED BY, the Board of Supervisors of Appomattox County that Aileen T. Ferguson, County Administrator, is hereby authorized to execute for and in behalf of Appomattox County Board of Supervisors, a public entity established under the law of the State of Virginia, any Deeds of Dedication pertaining to Old David Lane (Frog Bottom) located in the community of Pamplin, Va.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a quote from J. E. Sears to repair Columns on several County owned buildings.

After discussion, Mr. Moore made a motion seconded by Mr. Bosiger to accept J. E. Sears quote of \$1,295.00 to repair columns on County owned buildings. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented bids on gutter work on County owned buildings located in the Courthouse Complex.

After review and discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to accept Mr. John C. Martin's bid of \$5,066.88 provided both companies were bidding the same things. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a supplemental appropriation request from the Commonwealth Attorney for \$40.00.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$40.00 to 2201-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then explained that the building permit for the new rescue squad building had not been issued due to a zoning set back that would require a variance. Mr. Paulette asked the Board of Supervisors to waive the fees for building permit and zoning variance request.

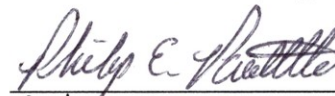
After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger that the County waive building permit fees and zoning variance fees for the Appomattox County Volunteer Rescue Squad building project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

By consensus of the Board of Supervisors, Mrs. Ferguson was directed to ask the Building Inspector to make the necessary inspections until the building permit could be issued.

Mrs. Ferguson next presented bills for leachate removal at the landfill and requested an appropriation to cover this expense.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$23,085.32 to 4204-3002 to pay bills for leachate removal at the landfill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Torrence made a motion seconded by Mr. Bosiger to adjourn at 10:55 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on June 2, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Bosiger to deliver the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the minutes of the public hearing of May 19, 1997; the recessed meeting of May 19, 1997; and the regular meeting of May 5, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called Mr. Don Austin, VDOT Assistant Resident Engineer, to appear before the Board.

Mr. Austin began by informing the Board of the status of various projects and then asked if the Board members had any questions for him.

After answering questions, Mr. Paulette thanked and excused Mr. Austin and called on Mr. Brett Thompson to appear before the Board.

Mr. Thompson began by explaining that he was representing a group of soccer coaches that worked with youth soccer in the County. Mr. Thompson continued that the soccer program was growing by leaps and bounds and that to meet the demand he felt four (4) fields were needed. Mr. Thompson said he understood the Board of Supervisors was working on some fields at the Primary School and he felt this was a good idea. Mr. Thompson offered his help in this endeavor and thanked the Board for their efforts.

Mr. Paulette thanked and excused Mr. Thompson and called Mr. Wayne Phelps to appear before the Board.

Mr. Phelps introduced Mr. Allen Farley, Commander of the SCB. Mr. Phelps continued that his main reason for meeting with the Board was to talk about restoring the two (2) cannons, located on the Courthouse lawn.

Mr. Phelps continued that he had gotten a cannon expert to give him a price on restoring the carriages on these two (2) cannons. The price for restoring both carriages was \$6,500.00.

Mr. Phelps provided several scenarios for funding the repair to the cannons.

Mr. Phelps said he also had some concerns about the proposed Courthouse project. Mr. Phelps continued that he felt renovation to the present Courthouse was not an option and that the Board should move forward with plans for a new facility. Mr. Phelps stated that renovation was only a stop gap measure and the Board should look to the future. Mr. Phelps suggested the present Courthouse should be maintained as a museum.

Mr. Paulette thanked Messers. Phelps and Farley for their comments and explained the Board would carefully consider their comments.

Mr. Paulette next called Mrs. Joyce Jamerson, Interim Superintendent of Public Schools and Mr. Billy Perrow, Director of Business, to appear before the Board.

Mrs. Jamerson began by answering questions of the Board members concerning the Middle School Project. (Specifically questions concerning storm water management and poor soil conditions.)

Mrs. Jamerson next requested the Board of Supervisors appropriate \$277,539.00 to the FY97 budget to cover a debt service payment due July 15, 1997.

After discussion, and by consensus of the Board, it was agreed to hold a public hearing on June 16, 1997 at 6:45 p.m. in order to amend the School Boards budget by \$277,539.00 for debt service payment due July 15, 1997.

Mrs. Jamerson then asked the Board of Supervisors if they would consider establishing a capitol improvements fund for the schools and place any funds remaining at the end of this fiscal year in this fund.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to establish a Capitol Improvement Account for the Schools for any funds remaining at the end of the year. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mrs. Jamerson next presented a revised school budget for FY98 reflecting the new debt service payment and reducing the schools FY98 budget by \$28,827.00.

Mr. Paulette thanked and excused Mrs. Jamerson and Mr. Perrow.

Mr. Paulette next asked the other Board members if they were prepared to adopt the FY98 budget.

Mr. Torrence made a motion seconded by Mr. Moore to adopt the County's FY98 budget of \$18,043,397. (Copy on file in the June 1997 Board File). Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence left the meeting at 8:32 p.m.

Mr. Paulette next called Mr. Eston Harvey to appear before the Board.

Mr. Harvey explained that he was coming before the Board on behalf of the Historical Society. Mr. Harvey continued that they had circulated petitions to have the Courthouse Square included in the Virginia Historical Register.

Mr. Harvey next went through the application process with the Board members explaining that being included in the register does not put any restrictions on the property. Mr. Harvey continued that the application requires the signature of the owner of the property and he would like approval to proceed with this application.

After discussion, Mr. Paulette stated the Board would need time to see exactly what being included in the register would entail. (Tommy has this application.)

Mr. Paulette thanked Mr. Harvey and explained he would be notified when the Board had made a decision.

Mr. Paulette next called for Supervisor Concerns.

Hearing none, Mr. Paulette presented the Planning Commission recommendations from the May 19, 1997, public hearing, to the Board.

Mr. Moore made a motion seconded by Mr. Bosiger to accept the Planning Commission's recommendations and approve petition #97-312 of Kurt & Julie Burge and Others to rezone property from R-1 to R-2. Property is located on Route 647 between Route 460 and Route 728 and is part of lots shown on Tap Map #74-A-13 thru 31; and petition #97-314 of Katie E. Hall for a Conditional Use Permit to allow mobile home on one acre lot with existing dwelling. Property is located on Route 608 between Route 26 and Route 712. Property is zoned A-1 and is Parcel Tax Map #38-A-105. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next informed the Board that several Board and committee appointments were necessary.

Mr. Bosiger made a motion seconded by Mr. Moore to appoint Jamie Mawyer to the Youth Services Commission for a term to expire May 1998. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to appoint Mr. Berkley Cabiness and Mrs. Shelia Webb to the Library Board terms to expire June

2000. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then informed the other members of the Board that a recommendation to the Circuit Court Judge was necessary for an appointment to the Board of Zoning Appeals.

Mr. Moore made a motion seconded by Mr. Carwile to recommend Mr. Wayne Phelps be appointed to the Board of Zoning Appeals for a term to expire 10/31/2000. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a line item transfer request to pay livestock damage claim.

Mr. Bosiger made a motion seconded by Mr. Moore to pay livestock damage claim to June Johnson in the amount of \$290.00 and transfer same from 1101-5804 to 3501-5802. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Bosiger to appropriate the following:

- \$37.50 to 1101-5803; ✓
- \$30.00 to 3501-5402; ✓
- \$39.49 from Law Library Fund;
- \$14,000.00 from the Cafeteria Fund;
- \$150,000.00 from the Textbook Rental Fund;
- \$8,600.00 to 8102. ✓

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked the Board to consider a request from the Town of Pamplin that the County pay \$250.00 for the survey of the railroad lot.

After discussion, no action was taken.

Mr. Paulette next asked Mr. Lawson the status of the cable TV Franchise Agreement Renewal.

Mr. Lawson stated that he should be receiving the final document within a few days and would need the Board to designate a signatory.

Mr. Bosiger made a motion seconded by Mr. Carwile to authorize Mr. Paulette to sign the final Cable TV Franchise Agreement. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Mr. Paulette next explained the Chamber of Commerce was applying for another advertising grant and was requesting a letter of support from the Board.

Mr. Moore made a motion seconded by Mr. Carwile to support the Chamber of Commerce's grant application with a letter. Vote: Mr. Paulette,

aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Kevin O'Brien that his expenses be paid to attend the Certified Planning Commissioner's Program.

Mr. Carwile made a motion seconded by Mr. Bosiger to pay expenses for Kevin O'Brien to attend the Certified Planning Commissioner's Program. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained the Rustburg Correctional Unit Superintendent, was requesting a resolution acknowledging that inmates would be cleaning the boat ramp at Bent Creek.

After discussion, Mr. Moore made a motion seconded by Mr. Bosiger to adopt the following resolution:

RESOLUTION
COMMUNITY WORK PROGRAM

WHEREAS, the Virginia Department of Corrections has established a "Community Work Program: to allow state agencies and localities to use supervised inmates in work projects.

WHEREAS, the Department of Game and Inland Fisheries is a governmental activity located within Appomattox County;

WHEREAS, the Department of Game and Inland Fisheries desires inmate help to accomplish brush cutting, grass cutting, litter clean-up and other related projects on an occasional basis, using work parties of no more than six inmates from the Rustburg Correctional Unit under the supervision of two Department of Corrections Officers;

WHEREAS, the Community Work Program requires a resolution requesting and accepting use of inmate labor within the locality be adopted by the applicable governing body;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors requests and accepts the use of supervised inmates under the Virginia Department of Corrections Community Work Program at Bent Creek boat landing located in Appomattox County.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked the other Board members for direction on the Courthouse project.

After discussion, Mrs. Ferguson was asked to check with other localities to see what their costs had been to renovate or build Courthouses.

Being no further business, at 9:45 p.m., Mr. Moore made a motion seconded by Mr. Bosiger to adjourn until after the public hearing on

June 16, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on June 16, 1997 at 6:45 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District

Absent:

Dennis W. Torrence - Appomattox River District
Russell H. Moore - Piney Mountain District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the public hearing to order and explained the purpose of the hearing was to receive public comment on amending the FY97 school budget by \$277,539.34, in order for the school to make the first debt service payment on the VPSA Middle School Project loan.

Mr. Paulette then gave the procedure to follow for addressing comments to the Board.

Mr. Paulette next called for comments.

Hearing none, Mr. Paulette declared the public hearing closed at 6:50 P.M.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, and the Appomattox County Board of Zoning Appeals, was held on June 16, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears - Chairman
Calvin Tanner
Sammy Carter
Kevin O'Brien
Elizabeth Edwards
Robert Johnson
Claude A. Moore
Russell H. Moore

Absent (Planning Commission):

Jim Sefter
Wayne Lewis

Present (Board of Zoning Appeals):

James Cheatham
Matt Lair
Elizabeth Edwards

Absent (Board of Zoning Appeals):

Cliff Harvey

Also Present:

Aileen T. Ferguson - County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the public hearing to order at 7:00 P.M., stated the purpose of the hearing was to receive public comment on several zoning request and gave the procedure for addressing comments.

Mr. Paulette then asked Mr. Caldwell, clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition #97-316 of Wanda T. Murphy for a variance to Paragraph 170-81 Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel #41(2)B and is located on Route 654 between Route 24 and Route 736. Property is zoned R-1.

Mr. Paulette called for comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read Petition #97-317 of Beverly Booker for a Conditional Use Permit to allow Antique and Gift Shop in V-1 district. Property is Tax Map Parcel #41-A-67 and is located on Route 24 between Route 616 and Route 655.

Mr. Paulette called for comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read Petition #97-318 of Appomattox County Rescue Squad for Variance to Paragraph 170-80-A Appomattox County Zoning Ordinance pertaining to located of Main Building. Property is Tax Map Parcel #64-A-156 and is located on Route 460 Business between Route 635 and Route 1022. Property is zoned A-1.

Mr. Caldwell called for comments on petition 97-318.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read Petition #97-319 of Town of Pamplin for Norfolk Southern Railway for Conditional Use Permit to allow temporary housing facilities for work crews in V-1 district. Property is Tax Map Parcel #111A1-A-15 and is located on Route 460 Business between Route 1066 and Route 47.

Mr. Paulette called for comments on this petition.

Hearing none, and being no further petitions, Mr. Paulette declared the public hearing closed at 7:07 p.m.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on June 16, 1997 after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District
Russell H. Moore - Piney Mountain District (Late)

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Paulette called the meeting to order at 7:10 p.m. and explained that Mrs. Ferguson had received information about Virginia's Historical Register's listing.

Mrs. Ferguson explained that being listed in the Historical Register does not effect the future of the building and does not restrict the owner of the building from altering, demolishing, etc.. Mrs. Ferguson continued that the Department of Historic Resources requested that the

application be withheld until the Board decided exactly what course of action they were going to take with the Courthouse.

After discussion, and by consensus of the Board, it was determined that no action would be taken at this time.

Mr. Paulette next presented a request from Hurt & Proffitt for additional funding on the Solid Waste Study. Mr. Paulette explained that Hurt & Proffitt had spent twice what the Board approved completing the study.

After discussion, and by consensus of the Board, it was agreed to stay with the original approved amount of \$3,500.00.

Mr. Paulette next presented a request from the I.D.A. for an appropriation of \$10,000.00 to pay for appraisals on two sites and engineering studies.

Mr. Bosiger made a motion seconded by Mr. Torrence to release \$10,000.00 to pay for appraisals and engineering studies on two possible industrial sites. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, absent; and Mr. Torrence, aye.

Mr. Moore returned to the meeting at 7:19 P.M.

Mr. Paulette next presented a line item transfer request for Court Services Unit to pay for Juvenile Detention.

Mr. Torrence made a motion seconded by Mr. Moore to transfer \$315.16 from 1101-3009. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented bids for chairs for Juvenile & Domestic Relations Court.

Mr. Carwile made a motion seconded by Mr. Bosiger to pay \$1,379.50 from Courthouse Maintenance for July 1997 for 25 chairs. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented the FY98 Appropriations Resolution for adoption:

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 1998

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year commencing July 1, 1997 and ending June 30, 1998, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund	
1101 Board of Supervisors	451,630.00
1201 County Administrator	183,405.00

1204 County Attorney	15,650.00
1206 Independent Auditor	15,000.00
1209 Commissioner of Revenue	198,204.00
1210 Assessor/Reassessor	0.00
1211 Board of Equalization	0.00
1213 Treasurer	180,541.00
1301 Electoral Board/Officials	27,588.00
1302 Registrar	48,619.00
2101 Circuit Court	13,536.00
2102 General District Court	2,209.00
2105 Juvenile/Domestic Relations Court	5,305.00
2106 Clerk of Circuit Court	51,214.00
2107 Sheriff (Civil Server)	33,380.00
2109 Court Services Unit	33,083.00
2130 Magistrate	825.00
2201 Commonwealth Attorney	139,622.00
3102 Sheriff	905,364.00
3103 Sheriff (Town Police)	75,870.00
3104 Sheriff (Grant)	62,016.00
3106 CADRE Grant	10,005.00
3108 Crime Prevention Grant	38,879.00
3202 Volunteer Fire Departments	67,538.00
3203 Volunteer Rescue Squad	56,700.00
3204 Forestry Service	7,300.00
3301 Sheriff/Jail	121,866.00
3401 Office of Building and Housing	54,980.00
3501 Animal Control	35,606.00
3503 Medical Examiner	500.00
3605 Emergency Services	2,000.00
4101 Road Viewers	75.00
4203 Refuse Collection	75,865.00
4204 Refuse Disposal	227,443.00
4206 Litter Grant	5,000.00
4207 Recycling	23,552.00
4302 General Properties	173,063.00
5101 Local Health Department	91,678.00
5105 Central VA Commission on Aging	3,940.00
5202 Central VA Community Services	26,795.00
5301 Social Services	5,272.00
5302 State Local Hospitalization	5,330.00
5309 Housing Worker Rental Assistance	18,921.00
5310 Comprehensive Services	54,717.00
6401 Central Virginia Community College	326.00
7102 Parks & Recreation Department	63,108.00
7104 Community Center	2,672.00
7109 Contributions	11,500.00
7205 Office on Youth	45,388.00
7301 Public Library	110,563.00
8101 Planning (CVPDC)	3,900.00
8103 Summer Youth	31,440.00
8104 Zoning	1,200.00
8105 Economic Development	106,218.00
8106 Chamber of Commerce	13,000.00
8111 Board of Zoning Appeals	700.00

8112 Planning Commission	2,200.00
8203 Robert E. Lee Soil & Water Conservation	6,079.00
8303 Extension Services	33,129.00
9203 Commissioner of Accounts	240.00

II. Capital Improvement Fund (Uncommitted)	250,000.00
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III. Virginia Public Assistance Fund	1,051,204.00
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IV. School Operating Fund	12,119,716.00
School Cafeteria Fund	640,728.00

BE IT FURTHER RESOLVED, THAT the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant to this Resolution, as monies become available, and from time to time to meet the expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request from Mr. Robert Pankey for support for citizens of Walton Place, allowing them to request electric service from Central Virginia Electric Co-Op instead of Virginia Power.

After discussion, Mr. Bosiger made a motion seconded by Mr. Carwile to write a letter supporting Walton Place residents request for electric service from Central Virginia Electric Co-op. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next informed the other Board members that the landfill received a 100% on their June 4, 1997 inspection by D.E.Q.

By consensus, the Board asked Mrs. Ferguson to write a letter thanking the landfill employees for a job well done.

Mr. Paulette next asked the other members of the Board to approve the carryover of the following fund balances:

Courthouse Maintenance Fund	\$18,155.15
Library Fund	2,467.57
Ballpark Fund	812.69
VJCC Funds	8,090.50

Mr. Torrence made a motion seconded by Mr. Moore to carryover the following fund balances to FY98:

Courthouse Maintenance Fund	\$18,155.15
Library Fund	2,467.57
Ballpark Fund	812.69
VJCCC Funds	8,090.50

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to encumber \$42,110.00 for two (2) police cars and \$26,094.00 for paving from FY97 funds.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$18,000.00 from Courthouse Maintenance for the month of July, 1997.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked the other members of the Board to increase mileage reimbursement for County employees to 27 cents per mile.

Mr. Torrence made a motion seconded by Mr. Bosiger to increase mileage reimbursement as of July 1, 1997 to \$0.27 per mile. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile asked if anyone wished to take a trip to Canada to view a composting operation in action.

After discussion it was agreed to schedule a trip to Canada to review the Composting operation.

Mr. Bosiger mentioned the article in the Times-Virginian recognizing Mrs. Marston, Principal at the Elementary School for her achievements.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

WHEREAS, Janice Marston, Principal of Appomattox Elementary School has been named Virginia's 1997 Distinguished Principal by the National Association of Elementary School Principals; and

WHEREAS, Janice Marston, who has been principal at Appomattox Elementary School for eleven (11) years has shown outstanding leadership abilities; and

WHEREAS, Janice Marston has shown a commitment to excellence and a devotion to her co-workers, parents and students;

BE IT RESOLVED, the Appomattox County Board of Supervisors commends Mrs. Janice Marston on this outstanding achievement.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then explained that an executive session was necessary.

Mr. Bosiger made a motion seconded by Mr. Torrence to enter into executive session at 7:43 p.m. to discuss the condition, acquisition or

use of real property for public purposes. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Carwile it was resolved the Board of Supervisors return to regular session at 8:33 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Carwile, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

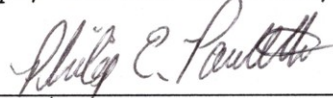
NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was any action necessary from the executive session.

Hearing none, Mr. Paulette asked if the other Board members wished to take action on the School Board appropriation request.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$277,539.34 to the school's FY97 budget to make debt service payment. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye and Mr. Torrence, aye.

Being no further business, Mr. Carwile made a motion seconded by Mr. Bosiger to adjourn at 8:36 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on July 7, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator
Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order at 7:00 p.m. and asked Mr. Carwile to deliver the invocation.

Mr. Paulette then asked for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of June 2, 1997; public hearings of June 16, 1997 and recessed meeting of June 16, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked Ms. Sandra Lindsay, VDOT, Resident Engineer to appear before the Board.

Ms. Lindsay began by reviewing new legislation that became effective July 1, 1997, concerning "Watch for Children" signs. Ms. Lindsay explained that the signs could only be erected in highly populated residential areas (such as sub-divisions) on secondary roads, and only after a resolution had been approved by the Board of Supervisors, and submitted to VDOT.

Ms. Lindsay next explained that traffic engineering did not recommend center line markings for Route 608.

Ms. Lindsay then asked if any Board member had concerns for her attention.

Mr. Bosiger stated he had received numerous complaints concerning gravel puncturing tires and asked if Ms. Lindsay could do anything about this problem.

Ms. Lindsay stated the superintendent had assured her this gravel met the proper specifications and there was nothing she could do. She continued that she would have the superintendent give Garet a call.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her.

Mr. Paulette next called on Mrs. Sally Burke to appear before the Board.

Mrs. Burke stated that she came before the Board of Supervisors requesting they consider a leash law for the benefit of all citizens of the County. Mrs. Burke continued that there had been six (6) dog bites reported in the month of June and that she felt this was happening too often. Mrs. Burke asked that the Board strongly consider a leash law to help eliminate this problem.

Being nothing further, Mr. Paulette thanked and excused Mrs. Burke and assured her the Board of Supervisors would look into this problem.

Mr. Paulette then called on Mr. Reed Johnson, Superintendent of the Appomattox Court House National Historical Park to appear before the Board.

Mr. Johnson began by thanking the Board for allowing him to meet with them in order that he could explain some changes that would be taking place within the National Park Service within the next few years.

- #1) New management plan is being developed;
- #2) Funding has become an issue and could become critical in the next few years.

Mr. Johnson concluded that he may be coming to the Board of Supervisors asking for support, in the future, in his efforts to keep funding coming to the park.

Mr. Johnson then answered questions of the Board members concerning the Park's operation.

Being nothing further for Mr. Johnson, Mr. Paulette thanked and excused him.

Mr. Paulette next called on Mr. William S. Slagle, Chairman, of the I.D.A. to appear before the Board.

Mr. Slagle began by saying that he was coming before the Board to report on the activities of the I.D.A. Mr. Slagle continued that after four (4) meetings, they had narrowed the field down to several sites. Mr. Slagle continued to give the Board general information on the I.D.A.'s progress.

After discussion, Mr. Paulette called for a motion to enter into executive session to discuss specific site locations.

Mr. Torrence made a motion seconded by Mr. Carwile to enter into executive session at 7:58 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence, seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 8:32 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Paulette, aye.

On a motion by Mr. Torrence seconded by Mr. Moore, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote:

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if any action was necessary from the executive session.

Hearing none, Mr. Paulette, thanked and excused Mr. Slagle.

Mr. Paulette next called on Sheriff Wilson Staples to appear before the Board.

Sheriff Staples began by thanking the Board for repairing the parking lots.

Sheriff Staples continued by reminding the Board that he had requested an addition to the Sheriff's Office that would cover his immediate needs. Sheriff Staples continued that after talking with various contractors they felt he should look at future needs before making a decision to add on.

Sheriff Staples then told the Board that some of his space needs were: evidence storage room, other storage, offices, staff meeting room and magistrate's office.

After further discussion, Mr. Carwile made a motion seconded by Mr. Moore to have Sheriff Staples proceed with having plans drawn for the new addition. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence asked Sheriff Staples if he could enlighten the Board on what could be done concerning livestock wandering on lands of another.

Sheriff Staples stated he felt that an ordinance could be put into place but did not recommend a fencing ordinance.

Mr. Lawson was asked to look into this and report back to the Board.

Being nothing further for Sheriff Staples, he was excused.

Mr. Paulette next called on Mr. Wayne Phelps to appear before the Board.

Mr. Phelps began by explaining that he felt pretty certain that the cannon located on Route 24 at the Appomattox River would remain in the County.

Mr. Phelps next asked the Board for permission to paint the flag poles in the Courthouse yard.

Mr. Torrence asked if the Board could also make a decision on repairing the cannons on the Courthouse lawn.

Mr. Torrence made a motion seconded by Mr. Bosiger that the County fund one-half the repair for the two cannons located on the Courthouse lawn, at a cost of \$3,250.00, and authorize Wayne Phelps to take care of having this work done. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to allow S.C.V. to paint the flag poles located in the Courthouse Square. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further for Mr. Phelps he was thanked and excused.

Mr. Paulette next called for Supervisor Concerns.

Mr. Carwile asked for an update on the soccer fields.

Mrs. Ferguson explained the status of the soccer fields.

After discussion, Mr. Carroll was directed to get with local contractors to see what they would charge per cubic yard, to level the three soccer fields located at the Primary School.

Mr. Paulette next presented Planning Commission recommendations from the June 16, 1997 public hearing.

Mr. Moore made a motion seconded by Garet Bosiger to approve petition #97-317 of Beverly Booker for a Conditional Use Permit to allow Antique Gift Shop in V-1 district. Property is Tax Map Parcel #41-A-67 and is located on Route 24 between Route 616 and Route 655. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented supplemental appropriation requests for July 1997.

Mr. Bosiger made a motion seconded by Mr. Torrence to make the following appropriations for July 1997.

\$71.65 to 3109
 \$5,769.72 to 3107
 \$999.99 to 3104
 \$24,316.14 to 4204

\$493.95 from Asset Forfeiture Account/Commonwealth Attorney
 Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next asked for a line item transfer to finish paying for paving parking lots.

Mr. Torrence made a motion seconded by Mr. Bosiger to transfer \$8,297.35 from 1101-5804 to 4302-3003. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to pay \$180.00 to VACO's EPR Fund as Appomattox County's share of negotiation cost with Virginia Power. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to pay \$5,079.67, one-half the cost for brochures, for the Chamber of Commerce. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from CVAAA that their rent for FY98 be waived.

Mr. Moore made a motion seconded by Mr. Torrence to waive CVAAA's rent for FY98. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented convention/education requests.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve expenses be paid for Mrs. Ferguson and all constitutional officers to attend LGOC; Mr. Lawson to attend his annual conference; and Mrs. Ferguson and Mr. Carroll to attend VACO's Annual Conference. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented a request for resolution from Mecklenburg County Board of Supervisors supporting the transfer of 1,130 acres owned by the Department of Army to VPI.

After discussion, Mr. Bosiger made a motion seconded by Mr. Moore to adopt the following resolution:

RESOLUTION TRANSFER OF 1.130 ACRES TO VIRGINIA TECH

WHEREAS, the Virginia Tech Southern Piedmont Agricultural and Extension Center (hereafter the "Center") has provided high quality

agricultural research and extension services to the agricultural community in Southern Virginia since 1972; and

WHEREAS, during that time the property for the Center has been leased from the U. S. Department of the Army at its Fort Picket facility; and

WHEREAS, Virginia Tech has an opportunity to acquire title to the land it currently occupies, through the U. S. Department of Education, if the Center continues operations for thirty years; and;

WHEREAS, Virginia Tech has has invested more than TWO MILLION and NO?100 (\$2,000,000.00) DOLLARS in the property for improvements in support of agricultural research for the region; and

WHEREAS, continued research both in tobacco and alternative crops, as well as initiation of a livestock forage and management program, is vital to the economic health of Southern Virginia; and

WHEREAS, Virginia Tech has expressed its intent to apply for a transfer of title to it of the ONE THOUSAND ONE HUNDRED THIRTY (1,130) acres it currently leases, plus four (4) acres on which a house is located which could be used for graduate student housing, through the Department of Education public benefit allowance program;

WHEREAS, the Board has determined that the conveyance of the property to Virginia Tech would benefit agri-business throughout Southern Virginia and therefore would have a more widespread benefit to Southern Virginia, and to the entire Commonwealth of Virginia, than would any other transfer of the property;

NOW, THEREFORE, BE IT RESOLVED: The Board of Supervisors of Appomattox County, mindful of the importance of the agricultural industry to the County, does hereby express its encouragement to Virginia Tech in its pursuit of this public benefit conveyance.

FURTHER RESOLVED: that a certified copy of this resolution shall be provided to representatives, officials and employees of every department of agency which will be involved in deciding whether such conveyance should be made to Virginia Tech, including, although not exclusively, the U. S. Department of the Army, the U. S. Department of Education, and the Governor of Virginia, as evidence of the Board's formal request that the property sought by Virginia Tech be conveyed unto it.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette explained that proposals for engineering services at the landfill have been received and asked the Board's pleasure in interviewing these applicants.

After discussion, and by consensus of the Board, Mr. Torrence and Mr. Carwile were appointed to interview applicants, along with County staff.

Mr. Paulette next presented several supplemental appropriation requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate the following:

\$26.56 from the Special Library Fund
 \$3,008,896.57 for VPSA Loan on the Middle School
 \$2,667.00 from the Athletic Fund
 \$7,641.78 for Summer Youth Program

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that an executive session was necessary to discuss personnel.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into executive session at 9:30 p.m. to discuss personnel. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 10:23 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

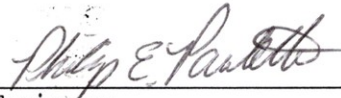
Mr. Paulette asked if there was action necessary from the executive session.

Hearing none, Mr. Paulette asked Mr. Carroll to provide information on the proposed trip to Canada.

Mr. Carroll provided detailed cost on the proposed trip.

After discussion, and by consensus of the Board, August 7th - 10th was established as the dates for the Canada trip.

Being no further business, at 10:34 p.m. Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn until July 21, 1997 after the zoning public hearing.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on July 21, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

Present (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Al Sears, Chairman
Robert Johnson
Sammy Carter
Wayne Lewis
Claude A. Moore
Russell Moore

Absent (Planning Commission):

Kevin O'Brien
Calvin Tanner
Elizabeth Edwards
James Seftor

Also Present:

Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Paulette called the public hearing to order at 7:07 p.m. stated the purpose of the hearing was to receive public comment on several zoning change requests, and gave the procedure for addressing comments.

Mr. Paulette asked Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 97-320 of Phillip T. Coleman for a Conditional Use Permit for propane gas storage (3-1000 gallon above ground tanks) and refilling facility. Property is zoned A-1. Property

is Tax Map Parcel #87-A-19 and is located on Route 679 between Route 647 and Route 648.

Mr. Paulette called for comments on this petition.

Mr. Phillip Coleman came forward and gave his address as P. O. Box 2073, Appomattox, Va. Mr. Coleman explained that his reason for the request was so they could increase their storage area due to increased demand for propane gas.

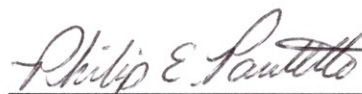
Mr. Paulette called for other comments.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition #97-321 of Berkley D. Garrett, Jr. for a Conditional Zoning Permit to allow mobile home on 2 acre lot with existing dwelling and is zoned V-1. Property is Tax Map Parcel #38-A-12 and is located on Route 660 between Route 26 and Route 661.

Mr. Paulette called for comments on this petition.

Hearing none, and being no further petitions, Mr. Paulette declared the public hearing closed at 7:10 p.m.



Chairman

A recessed meeting of the Appomattox County of Supervisors was held on July 21, 1997 after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Paulette called the recessed meeting to order and invited Mr. Wayne Lewis, of the Planning Commission, to give an explanation of "land use planning".

Mr. Lewis provided valuable information concerning "land use planning".

Mr. Paulette thanked and excused Mr. Lewis.

Mr. Paulette presented several supplemental appropriation requests for approval.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following supplemental appropriations:

\$312.50 to Robert E. Lee Soil & Water Conservation District

\$564.00 to Animal Control

\$10,461.09 for Joan Chenault's retirement

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Mr. Armontrout was unhappy with the reduction in his part time wages even though he had been given a full-time position. Mr. Armontrout was asking that the new full time position be eliminated and those funds be transferred into part-time wages.

After discussion, and by consensus of the Board, it was agreed to transfer the funds back into part-time salaries.

Mr. Paulette next requested the Board approve a bank card for County use.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

RESOLUTION

WHEREAS, the Appomattox County Board of Supervisors, ("Company") desires to obtain financial accommodations from Central Fidelity Bank ("Bank") pursuant to the use of a number of Central Fidelity Bank Cards ("Bank Cards") by various officers and agents of the County; and

WHEREAS, the Appomattox County Board of Supervisors intends to authorize its officers and agents to use such Bank Cards for an in connection with County business;

WHEREAS, Bank will not issue such Bank Cards unless the County agrees to accept without qualification, modification or restriction all the terms and conditions of the Agreement on the reverse side, incorporated by reference herein.

NOW, THEREFORE, be it resolved that the Appomattox County Board of Supervisors apply to Bank for the issuance of a sufficient number of Bank Cards, as in the judgement of the officer or officers hereinafter authorized, the County may require:

RESOLVED FURTHER, that Philip Paulette, the Chairman, or Russell Moore, the Vice Chairman, and Aileen T. Ferguson, Clerk of the Board and their successors in office, are hereby authorized, directed and empowered in the name of the County, to apply to Bank from time to time for issuance of such Bank Cards, to make designation of individuals from time to time to be named in the same, and to execute the Agreement referenced above and such applications, forms and agreements with respect thereto, and to any indebtedness arising from the use of such Bank Cards.

RESOLVED FURTHER, that Bank is authorized to act upon this resolution until written notice of its revocation, making specific reference to this Bank Card resolution, is actually delivered to Bank.

I, Aileen T. Ferguson, Clerk Appomattox County Board of Supervisors, a local government under the laws of the Commonwealth of Virginia, do hereby certify that the foregoing is a full, true and correct copy of a resolution of the Board of Supervisors of said County, duly and regularly passed and adopted at a meeting of the Board of Supervisors of said County which was duly called and held in accordance with the laws of the Commonwealth of Virginia, on the 21st day of July, 1997.

 Officer Attest (Seal) _____ (Seal)

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that an executive session was necessary to discuss personnel and a legal matter.

Mr. Moore made a motion at 8:40 p.m. seconded by Mr. Torrence to enter into executive session to discuss personnel and legal matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 9:09 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette asked if there was any action to be taken from the executive session.

Mr. Torrence made a motion seconded by Mr. Carwile to hire Stacie Pierce for the Secretary/Gate Keeper at the landfill at an annual salary of \$12,480.00, with a six month probation period. Vote: Mr. Paulette, nay; Mr. Carwile, aye; Mr. Bosiger, nay; Mr. Moore, aye; and Mr. Torrence, aye.

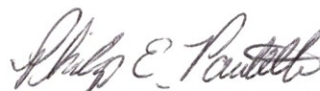
Mr. Carwile made a motion seconded by Mr. Bosiger to hire Jack Hawthorne, Jr. for the Laborer/Gate Attendant position at the landfill at an annual salary of \$10,712.00 with a six month probation period. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then asked Mr. Carroll to provide information on the Toronto trip.

Mr. Carroll provided detailed information on the trip to Canada to assess the composting operation.

After discussion, and by consensus of the Board, it was agreed that Mr. Carwile, Mr. Moore, Mr. Torrence, Mr. Carroll, and the engineer would make this trip.

Being nothing further, Mr. Moore made a motion seconded by Mr. Torrence to adjourn until Monday, July 28, 1997, if necessary, at 7:00 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.



Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on August 4, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, VA.

PRESENT:

Philip E. Paulette, Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Aileen T. Ferguson, County Administrator
Thomas W. Lawson - County Attorney
Andy Carroll - Assistant County Administrator

Mr. Paulette called the meeting to order at 7:05 p.m. and asked Mr. Moore to deliver the invocation.

Mr. Paulette then called for additions and corrections to the minutes.

Mr. Bosiger stated that instead of "SCB" the initials should be "SCV".

Mr. Moore made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of July 7, 1997, as corrected; the public hearing of July 21, 1997; and the recessed meeting of July 21, 1997.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next called Ms. Sandra Lindsay, VDOT Resident Engineer to appear before the Board.

Ms. Lindsay answered questions and concerns of several Board members.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her.

Mr. Paulette next called Mrs. Terri Conrad to appear before the Board.

Mrs. Conrad began that she had two issues that she wished to seek support from the Board for. Mrs. Conrad continued that the first matter for consideration was funding for school infrastructure. Mrs. Conrad explained that she would like to have the Board of Supervisors adopt a resolution asking that a Bill be passed that would require the State to share infrastructure expenses for schools on a 50/50 basis.

Mrs. Conrad explained the second matter dealt with the hiring of a lobbyist to speak for rural counties. Mrs. Conrad stated she hoped to meet with approximately twenty (20) rural counties to try to get them to join together to hire a lobbyist that would carry our concerns to the legislature. Mrs. Conrad explained that she would anticipate the cost to each locality to be approximately \$3,000.00 annually. Mrs. Conrad requested an answer from the Board as soon as possible.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

WHEREAS, The Appomattox County Board of Supervisors is charged with the responsibility for providing infrastructure for education in the County; and

WHEREAS, providing this infrastructure is only part of the responsibility the Board of Supervisors has; and

WHEREAS, Appomattox County, like other rural counties, has limited resources with which to meet it's obligations;

THEREFORE, BE IT RESOLVED, the Appomattox County Board of Supervisors request the Legislature appropriate funding to localities for School infrastructure.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette thanked and excused Mrs. Conrad and called on Ms. Debbie Straw to appear before the Board.

Ms. Straw came forward and explained her reason for coming before the Board was to address some concerns she had with an article she read in the Times-Virginian about animal control. Ms. Straw continued that she wanted to make the Board aware of an avenue for information about animal laws that she felt they were unaware of. She explained that the Virginia Confederation of Humane Societies' had published a pamphlet on the animal laws that she felt would be beneficial. Ms. Straw explained that she was not convinced that a leash law was the answer for Appomattox County at the present time except maybe in some highly populated areas. Ms. Straw explained that stray dogs were not a problem for her, she just called the Animal Warden and had the dog picked up. Ms. Straw concluded that she hoped the Board would consider the leash law strongly before implementing this ordinance.

Mr. Paulette thanked and excused Ms. Straw and called on Mr. Wayne Bowman, with the State Forestry Department, to appear before the Board.

Mr. Bowman introduced Mr. Dave Snyder and stated Mr. Snyder was also going to report on forestry activities in the County.

Mr. Bowman then gave a report on State Forest Activities for the year and then presented a check for \$30,363.21 which was the County's part of the funds received for timber sales for the past year.

Mr. Dave Snyder thanked the Board for their time and reported on landowners activity with the Forestry Department for FY97. Mr. Snyder explained that last year there were very few fires in the County with few acres lost. He commended the volunteer fire departments on their assistance with the fires. He also stated that funding had been approved for another dry hydrant in the County. Mr. Snyder next invited the Board Members to the Heartland Forest Festival being held in Farmville in September.

Mr. Paulette asked Messers Bowman and Snyder if they felt there was a need in Appomattox County for a Gypsy Moth Coordinator.

Mr. Bowman stated he was not aware of a Gypsy Moth problem but he would check into this matter and get back with the Board.

Being nothing further for Messers. Bowman and Snyder, Mr. Paulette thanked and excused them.

Mr. Paulette called Mr. Mike Lamm to appear before the Board.

Mr. Lamm came forward and stated his reason for coming before the Board was to ask for a reduction in a landfill fee for debris that he had cleaned up around his house. Mr. Lamm stated his landfill charges for

one load of cardboard, broken brick, wood, etc., were \$298.00. Mr. Lamm felt this was excessive for what he had taken to the landfill.

After discussion, the Board explained they would look into this matter and get back with Mr. Lamm about their findings.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile began that he was very much concerned with the cost involved in leachate disposal. Mr. Carwile stated he is not satisfied with the way the leachate pond was being handled. Mr. Carwile stated he had something he would like to try in regards to the leachate pond, with the Board's permission. He explained he would take a truck down there to show how a different kind of truck would help with some of the problems at the leachate pond.

The Board members discussed the benefit of having a camcorder to use in situations where all Board members could not be present, such as demonstrations, etc.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to purchase a camcorder for County use. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Torrence asked if Mrs. Ferguson would check into personal cards for the Board members and report the cost back to the Board at the next meeting.

Mr. Paulette called for other concerns.

Hearing none, he directed the Board's attention to the first item under Administrative Items, Planning Commission Recommendations.

Mr. Bosiger made a motion seconded by Mr. Moore to accept the Planning Commission's recommendations, from the July 21, 1997 public hearing, and approve the following petitions:

97-320 of Phillip T. Coleman for a Conditional Use Permit for propane gas storage (3-1000 gallon above ground tanks) and refilling facility. Property is zoned A-1. Tax Map Parcel #87-A-19 and is located on Route 679 between Route 647 and Route 648.

97-321 of Berkley D. Garrett, Jr. for a Conditional Zoning Permit to allow mobile home on 2 acre lot with existing dwelling and is zoned V-1. Property is Tax Map Parcel #38-A-12 and is located on Route 660 between Route 26 and Route 661.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented several committee appointments that needed to be made.

After discussion, and by consensus of the Board, it was agreed the Courthouse Committee would consist of Judge Blanton, Barbara Williams,

Tommy Lawson, Wilson Staples, Gus Paulette, Aileen Ferguson, and Dick Bass.

Mr. Paulette next asked for a nomination for the Central Piedmont Private Industry Council Policy Board.

After discussion, and by consensus of the Board, Carolyn Davis was nominated from the private sector.

Mr. Paulette next presented several line item transfer requests.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the following line item transfer:

\$1,335.00 from 1101-5804 to 4302-3002;
\$ 588.00 from 1101-5804 to 5310-3001;
\$ 104.50 from 1101-5804 to 2130-5401;

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented supplemental appropriation requests.

Mr. Torrence made a motion seconded by Mr. Moore to approve the following supplemental appropriations:

2220-1001 - Salary & Wages	\$14,326.00
2220-2001 - FICA	1,096.00
2220-2009 - Unemployment Ins.	9.00
2220-5401 - Office Supplies	3,390.00
2220-5504 - Mileage/Meals	1,164.00
2220-7001 - Equipment	8,800.00
Law Library Fund	1,189.76
Library Fund	22.50
3102-5505 - Extradition of Prisoners	1,282.96

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Sam's Club had requested permission to offer an "Advantage Membership" to County employees. He continued that there would be no cost to the County.

Mr. Moore made a motion seconded by Mr. Torrence to allow Sam's Club to offer membership to County employees at no cost to the County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the Recreation Director that she be allowed to attend her annual convention at an approximate cost of \$500.00.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve for the Recreation Director to attend her annual conference. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mr. Paulette then asked if the Board wished to publish the delinquent tax list this year.

After discussion and by consensus of the Board, it was agreed to publish the delinquent tax list after public notice.

Mr. Paulette next asked the engineer selection committee if they would give a report to the Board.

Mr. Torrence and Mr. Carwile reported that after the interview process the committees recommendation was to continue with Hurt & Proffitt providing engineering services for the landfill.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to have Hurt & Proffitt, Inc. continue providing engineering services for the landfill. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette stated that an executive session was necessary to discuss a legal and personnel matter.

Mr. Moore made a motion at 9:32 p.m. seconded by Mr. Torrence to enter into executive session to discuss personnel and legal matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 10:50 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Torrence, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote:

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for action from the executive session.

Mr. Bosiger made a motion seconded by Mr. Torrence to put Mr. Carroll on as a permanent employee with a 5% increase in salary. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Carwile to transfer \$500,000.00 from general revenue fund to the CIP Account. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolution:

RESOLUTION

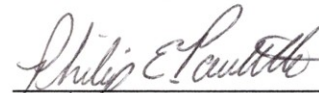
WHEREAS, the Appomattox County Board of Supervisors agrees that a regional industrial development authority would be beneficial to all the citizens of Appomattox County; and

WHEREAS, Appomattox County Board of Supervisors works jointly with Appomattox Town Council in various endeavors;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors wishes to form a Regional Industrial Development Authority with the Town of Appomattox.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being nothing further, Mr. Torrence made a motion at 10:54 p.m. seconded by Mr. Carwile to recess until August 18, 1997, after the public hearing. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on August 18, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present (Board of Supervisors):

Garet H. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore, Vice Chairman - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Absent (Board of Supervisors):

Philip E. Paulette, Chairman - Courthouse District

Present (Planning Commission):

Al Sears, Chairman
Sammy Carter

Calvin Tanner
Robert Johnson
Kevin O'Brien
Wayne Lewis
Russell Moore

Absent (Planning Commission):

James Sefter
C. A. Moore
Elizabeth Edwards

Present (Board of Zoning Appeals):

Matt Lair
Cliff Harvey
Wayne Phelps

Absent (Board of Zoning Appeals):

Elizabeth Edwards
James Cheatham

Also Present:

Aileen T. Ferguson, County Administrator
W. M. Caldwell, Clerk - Planning Commission

Mr. Moore called the public hearing to order at 7:15 p.m., stated the purpose of the hearing was to receive comments on several zoning petitions and gave the procedure for addressing comments.

Mr. Moore then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

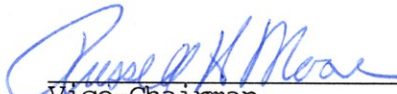
Mr. Caldwell read petition 97-322 of Sandra C. Moore & Danielle M. Mosley for a variance to Paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to side and front yard setbacks of dwelling. Property is Tax Map Parcel 36-3-7 and is located on Route 608 between Route 721 and Route 669. Property is zoned R-2.

Mr. Moore called for comments on this request.

Ms. Danielle M. Mosley came forward and stated her mobile home had been placed on the wrong location on her lot causing her not to meet the zoning requirements. Ms. Mosley asked that she be allowed to leave her mobile home where it is presently on her lot.

Mr. Moore called for other comments.

Hearing none, and being no other petitions, Mr. Moore declared the public hearing closed at 7:17 p.m.


Vice-Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on August 18, 1997 at 7:30 p.m. in the Courthouse, Court House Square, North Court Street, Appomattox, Va.

Present:

Russell H. Moore, Vice-Chairman- Piney Mountain District
 Frank H. Carwile - Wreck Island District
 Garet K. Bosiger - Falling River District
 Dennis W. Torrence - Appomattox River District

Absent:

Philip E. Paulette, Chairman - Courthouse District

Also Present:

Aileen T. Ferguson - County Administrator

Mr. Moore called the recessed meeting to order at 7:34 p.m. and called Messers. Earl Dickerson and Jeff Grubbs to appear before the Board.

Mr. Dickerson gave a report on the site visit made to Canada to view the HUWS composting system in operation.

Questions and answers followed Mr. Dickerson's report.

After a lengthy discussion, Mr. Carwile made a motion seconded by Mr. Bosiger for Mr. Dickerson to actively pursue the stabilize operation with HERHOF, Inc. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore then asked if there were further questions for Mr. Dickerson.

Mr. Carwile stated he felt there was a better way for the county to deal with the leachate problem than what we are presently doing.

A lengthy discussion followed and several different options were discussed for handling leachate.

After discussion, and by consensus of the Board, it was agreed for Mrs. Carter to purchase an additional 100' of hose to see if this would alleviate the pump problem at the leachate pond, prior to trying more expensive measures.

Mr. Moore thanked and excused Messers. Dickerson and Grubbs.

Mr. Moore then explained that Mrs. Ferguson had information pertaining to Mr. Lamm's request for waiver of landfill fees.

Mrs. Ferguson explained that Mr. Garrett, Mr. Lamm's hauler, had been weighed upon entering the landfill and he was also weighed upon exiting the landfill. Therefore, Mrs. Ferguson stated she felt the weight in question was correct.

After discussion, and by consensus of the Board, it was decided not to make an adjustment on Mr. Lamm's landfill bill.

Mr. Moore next presented a letter from Mrs. Belter, Treasurer, requesting guidance on disbursing the Trigon Healthcare stock.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to have Mrs. Belter deposit 10,543.5 shares of stock in a fund designated Schools Health Insurance Fund and 10,543.5 shares in a fund designated School Construction Renovation, Maintenance and Debt Service. Vote: Mr. Moore, aye; Mr. Bosiger, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

After discussion, and by consensus of the Board, Mrs. Ferguson was directed to contact the School Board and seek their input on which sale option they would prefer.

Mr. Moore next explained that the information requested about the cost of personal cards was provided on page 3. Mr. Moore continued that each individual would take care of purchasing their own cards, if they desired to do so.

Mr. Moore then presented a request from Mr. Carroll for approval to attend the Virginia Economic Developers Association conference.

Mr. Bosiger made a motion seconded by Mr. Torrence to allow Mr. Carroll to attend the Virginia Economic Developers Association Conference. Vote: Mr. Bosiger, aye; Mr. Moore, aye; Mr. Carwile, aye; and Mr. Torrence, aye.

Mr. Moore next presented a request for a resolution supporting the James River Coalition.

After discussion, no action was taken.

Mr. Moore explained it was time to renew the Memorandum of Understanding with Virginia Cooperative Extension. Mr. Moore explained there were no changes noted in the new Memorandum of Understanding.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into the new Memorandum of Understanding with Virginia Cooperative Extension. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore then presented a Cooperative Agreement for Dam Repair for damage sustained during Hurricane Fran. Mr. Moore continued that no additional County funds are required.

Mr. Bosiger made a motion seconded by Mr. Torrence to enter into the agreement for Dam repair. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore then presented a request from Mrs. Pat Cowan, President, Habitat for Humanity that fees be waived for building permits for Habitat houses constructed in the County.

Mr. Torrence made a motion seconded by Mr. Carwile that the building permit fees for Habitat for Humanity houses be waived. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore next presented a supplemental appropriation request from the Maintenance Department.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate \$334.00 to 4302-3002. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Moore asked if anyone had any business to bring forth.

Mr. Bosiger asked if Mrs. Ferguson would contact Mrs. Joyce Jamerson to check on the results of the violence survey requested by the Board.

Mr. Carwile stated he was very concerned about the drug situation in the County and would like to suggest that Sheriff Staples set up an informant fund that would encourage citizens to come forward with drug related information.

After discussion, Mrs. Ferguson was to discuss this matter with Sheriff Staples and report back to the Board.

Mr. Carwile also stated he had received numerous complaints about dump trucks and tractor trailers on Route 611 and Route 608. Mr. Carwile continued that he was going to look into what could be done to solve this problem and would report to the Board at a later date.

Mr. Moore explained an executive session was necessary to discuss a legal and personnel matter.

Mr. Carwile made a motion seconded by Mr. Torrence at 10:00 p.m. to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and

(ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business at 10:15 p.m., Mr. Torrence made a motion seconded by Mr. Carwile to adjourn. Vote: Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Vice-Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on September 2, 1997 at 7:00 p.m. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present Philip E. Paulette, Chairman - Courthouse District
 Garet K. Bosiger - Falling River District
 Frank H. Carwile - Wreck Island District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District
 (arrived 7:15 p.m.)

Also Present: Aileen T. Ferguson - County Administrator
 Andy Carroll - Assistant County Administrator
 Thomas W. Lawson - County Attorney

Mr. Paulette called the meeting to order and gave the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve the minutes of the regular meeting of August 4, 1997; the public hearing of August 18, 1997; and the recessed meeting of August 18, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next explained that Sandra Lindsay, VDOT, Resident Engineer was unable to meet with the Board and asked if anyone had anything for Mrs. Ferguson to relay to Ms. Lindsay.

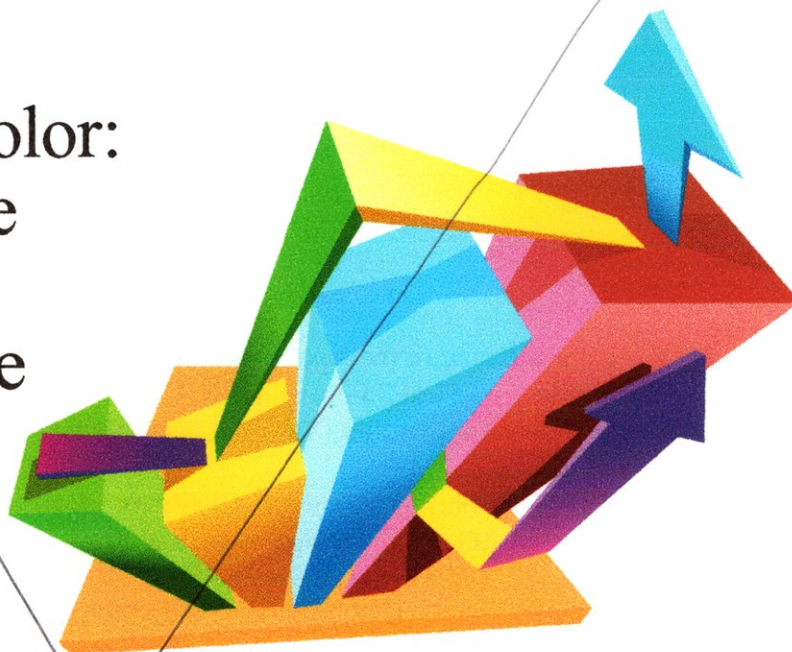
Mr. Bosiger explained he had several items for Ms. Lindsay's attention. The first item was a continuing problem with the sharpness of stone being use for road repairs. Mr. Bosiger explained he was still receiving complaints about flat tires.



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Mr. Bosiger then stated that the signs VDOT had erected on Route 604 across from C & E Grocery had been removed. He continued that C & E Grocery wanted to put a parking lot on the property across from C & E and wondered if this was permitted under the Zoning Ordinance.

Mr. Paulette next informed the other members of the Board that a public hearing needed to be scheduled for revision of the Six Year Transportation Plan.

After discussion and by consensus of the Board, November 3, 1997 at 6:30 p.m. was set as the date for the public hearing on revisions to the six year plan.

Mr. Paulette explained that since we were ahead of schedule he would begin with the Administrative Items.

Mr. Paulette presented a request from the Historic Appomattox Railroad Festival for use of the Courthouse Square during the festival.

Mr. Carwile made a motion seconded by Mr. Moore to allow the Historic Appomattox Railroad Festival Board the use of the Courthouse Square during Railroad Festival weekend. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then turned the Board's attention to a letter from Wayne Bowman, Forester Supervisor, advising that he did not feel we needed a Gypsy Moth Coordinator at this time.

The Board directed Ms. Ferguson to notify Mr. Bob Grace, County Gypsy Moth Program Coordinator, of Mr. Bowman's recommendation.

Mr. Paulette next presented a request from Terry Reid, President of the Virginia Association of Municipal Wastewater Agency, Inc., requesting the Boards support for changes to the Chesapeake Bay Model.

After discussion, and by consensus of the Board it was agreed to support the suggested changes to the Chesapeake Bay Model.

Mr. Paulette then presented appropriation requests from the Sheriff's Department, Litter Grant, Comprehensive Services Act, Draper Aden Associates and the Law Library.

Mr. Bosiger made a motion seconded by Mr. Carwile to appropriate the following:

\$107.81 to 3102-5409
\$4,294.00 to 3301-7001
\$1,531.00 to 4206-5413
\$2,607.00 to 5301-3001

\$59.51 to Law Library

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a line item transfer request from the County Administrator for Soil Control Plan Review.

Mr. Bosiger made a motion seconded by Mr. Torrence to transfer \$2,850.00 from 1101-5804 to 8203-5604. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette presented convention and education requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to pay expenses for Mr. Carroll to attend the Virginia Industrial Development Authorities Institute; and Mr. Caldwell to attend the VBOCA Annual Seminar. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette next presented a request from the Historic Appomattox Railroad Festival for a fireworks permit.

Mr. Moore made a motion seconded by Mr. Torrence to approve a fireworks permit for October 11, 1997 for the Historic Appomattox Railroad Festival. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then presented a request from the Planning Commission that the Board of Supervisors adopt an ordinance making contractors responsible for seeing that the proper zoning setbacks are in place prior to starting construction.

After discussion, this matter was referred to the County Administrator and the County Attorney for research.

Mr. Paulette advised the other members of the Board that Central Virginia Area Agency on Aging needed an appointment from Appomattox County to their Advisory Council. Mr. Paulette asked the Board members to try to have some suggestions by the September 15, 1997 recessed meeting.

Mr. Paulette next presented supplemental appropriation requests from the Sheriff's Department and Courthouse Maintenance.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following supplemental appropriations:

\$40.00 to 3301-5407

\$25.06 to Courthouse Maintenance to 4302-7010

Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile began by saying that he continued to be concerned about the drug situation in Appomattox County and wanted the Board to consider some form of action to help with this problem.

Mr. Torrence made a motion seconded by Mr. Moore to transfer \$1500.00 from M-1-5804 to 4302-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called on Dr. Walter Krug, Superintendent of Public Schools, to present a letter from the School Board in reference to the sale of the Trigon Blue Cross/Blue Shield stock.

Dr. Krug stated that his reason for attending the Board meeting was to introduce himself to the Board members and give a brief update on Middle School construction. After discussion, and by consensus of the Board, a committee comprised of Mr. Paulette, Mr. Ferguson, Ms. Belter, Dr. Krug, a school board member and the auditor was formed to review the options and make a recommendation as to the sale of the Trigon stock. Mr. Paulette thanked and excused Dr. Krug.

Mr. Paulette explained that an executive session was necessary to discuss a personnel matter. Mr. Paulette next invited Mr. Earl Dickerson and Mr. Jeff Grubbs with Hurt and Proffitt to appear before the Board.

Mr. Torrence made a motion at 9:04 p.m. seconded by Mr. Moore to enter into executive session to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye. Mr. Dickerson reported that he had contacted DEQ as requested by the Board to find out if the HJWS system that the County is considering as an alternative to landfilling. Mr. Dickerson explained that since there are none of those systems presently operating in the United States, DEQ would consider it unusual and therefore issue a permit accordingly.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 9:38 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Bosiger to have Mr. Dickerson write a letter to Herhof and explain that they will need to find a way to stabilize prior to the County moving ahead with this project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and

Mr. Carwile explained that he had been working with Ms. Carter at the landfill with the leachate pond and he was not satisfied that the proper steps had been taken to prevent stormwater runoff from entering the leachate pond.

WHEREAS, Section 2.1-544.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law.

After discussion, and by consensus of the Board, Mr. Dickerson was asked to work with Ms. Carter to try to alleviate this problem.

Being nothing further, Messrs. Dickerson and Grubbs, they were thanked and excused.

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette also presented a line item transfer request from Maintenance Department to pay for part of the painting contract.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to transfer \$15,020.00 from 1101-5804 to 4302-3002. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette then called on Dr. Walter Krug, Superintendent of Public Schools, to appear before the Board.

Dr. Krug stated that his reason for attending the Board meeting was to introduce himself to the Board members and give a brief update on Middle School construction. Dr. Krug continued by telling the Board of Supervisors about his background and family.

After a brief update on Middle School construction Mr. Paulette thanked and excused Dr. Krug.

Mr. Paulette next invited Mr. Earl Dickerson and Mr. Jeff Grubbs with Hurt and Proffitt to appear before the Board.

Mr. Dickerson reported that he had contacted DEQ as requested by the Board to get their position on the HUWS system that the County is considering as an alternative to landfilling. Mr. Dickerson explained that since there are none of these systems presently operating in the United States, DEQ would consider it experimental and therefore issue a permit accordingly.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Bosiger that Mr. Dickerson write a letter to Herhof and explain that they will need to find a market for stabilate prior to the County moving ahead with this project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Carwile explained that he had been working with Ms. Carter at the landfill with the leachate pond and he was not satisfied that the proper steps had been taken to control stormwater runoff from entering the leachate pond.

After discussion, and by consensus of the Board, Mr. Dickerson was asked to work with Ms. Carter to try to alleviate this problem.

Being nothing further for Messrs. Dickerson and Grubbs, they were thanked and excused.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile began by saying that he continued to be concerned about the drug situation in Appomattox County and wanted the Board to consider some form of action to help with this problem.

Discussion followed with several alternatives being presented and discussed. After discussion, Ms. Ferguson was instructed to invite Sheriff Staples to the Board meeting to discuss this matter.

Mr. Paulette next presented a letter from the School Board in reference to the sale of the Trigon Blue Cross/Blue Shield stock.

A lengthy discussion followed.

After discussion, and by consensus of the Board, a committee comprised of Mr. Paulette, Ms. Ferguson, Ms. Belter, Dr. Krug, a school board member and the auditor was formed to review the options and make a recommendation as to the sale of the Trigon Stock.

Mr. Paulette explained that an executive session was necessary to discuss a personnel matter.

Mr. Torrence made a motion at 9:04 p.m. seconded by Mr. Moore to enter into executive session to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolve the Board of Supervisors return to regular session at 9:38 p.m. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open

meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

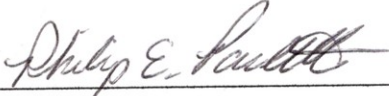
Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Paulette called for action from the executive session.

Mr. Bosiger made a motion seconded by Mr. Torrence to increase Mrs. Tina Carter's salary, effective September 1, 1997 to \$24,040.30 and appropriate funds to cover the increase in salary and benefits. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.,

Mr. Carwile made a motion seconded by Mr. Moore to offer Amy Poole the office position at an annual salary of \$14,000.00. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Torrence to recess until after the public hearing on September 15, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on September 15, 1997, after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette, Chairman – Courthouse District
Dennis W. Torrence – Appomattox River District
Frank H. Carwile – Wreck Island District
Garet K. Bosiger – Falling River District

Absent: Russell H. Moore – Piney Mountain District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Paulette called the recessed meeting to order and asked the other Board members to approve the contract with Hurt and Proffitt for engineering services at the landfill.

After discussion Mr. Torrence made a motion seconded by Mr. Carwile to accept the contract with Hurt and Proffitt for engineering services at the landfill, contingent upon approval by the County Attorney. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye. (Copy on file in the County Administrator's office).

Mr. Paulette then presented a request for additional funding from Virginia Cooperative Extension due to an error in their budget request for FY98.

Mr. Torrence made a motion seconded by Mr. Bosiger to appropriate \$3,671.00 to salaries and benefits for Virginia Cooperative Extension for FY98. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.

Mr. Paulette next presented a letter from Judge Kerr with some additional request for Juvenile and Domestic Relations Court.

After discussion, and by consensus of the Board this matter was carried over to the next meeting to allow time for Mrs. Ferguson to gather further information.

Mr. Paulette next presented a request for funding from Central Piedmont Economic Association Inc. CPEA plans to purchase property in Amherst County and open a Battered Spouses Shelter and Community Center.

After discussion, and by consensus of the Board Mrs. Ferguson was instructed to notify Ms. Pearlene J. Hamler, President of CPEA and explain she should make her request for funding during the budget process.

Mr. Paulette then presented a request from Appomattox County Chamber of Commerce for funding in the amount of \$6,372.00 in order to accept a matching grant received from the State.

After discussion, Mrs. Ferguson was instructed to find out what the County had already funded in FY98 and report back to the Board at the October meeting.

Mr. Paulette next presented convention requests from the Registrar and Commissioner of Revenue.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve for the Registrar to attend her annual VRAV meeting and the Commissioner of Revenue to attend his annual conference and the VALECO Annual meeting. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.

Mr. Paulette next explained that Mrs. Belter, Treasurer, had informed us that the delinquent tax list, presented to the Board, as of June 30, 1997 was the list that must be published in the newspaper. Mrs. Belter also had explained that anyone who had paid after June 30, 1997, their name would still appeal on the list that was published.

After discussion and by consensus of the Board it was agreed not to publish the delinquent tax list for this year.

Mr. Paulette explained that Hurt and Proffitt had provided a letter for information purposes on their suggestions for stormwater runoff at the leachate pond.

Being no further business, Mr. Paulette explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion seconded by Mr. Bosiger to enter into executive session at 8:37 P.M. to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 9:10 P.M. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.

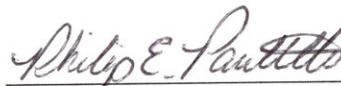
On a motion by Mr. Torrence seconded by Mr. Bosiger the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.

Being no further business, Mr. Bosiger made a motion seconded by Mr. Carwile to adjourn at 9:11 P.M. Vote: Mr. Paulette, aye; Mr. Torrence, aye; Mr. Carwile, aye; Mr. Bosiger, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on October 6, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia

Present:

Philip E. Paulette, Chairman – Courthouse District
Garet K. Bosiger – Falling River District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present – Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Paulette called the meeting to order and asked Mr. Carwile to deliver the invocation.

Mr. Paulette then called for corrections or additions to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to accept the minutes of the regular meeting of September 2, 1997; and the recessed meeting of September 15, 1997 as submitted. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next called on Mr. Don Austin, Assistant Resident Engineer, Virginia Department of Transportation, to appear before the Board.

Mr. Austin provided information on several projects that are under construction.

Mr. Austin then explained that a work session needed to be scheduled to review the Six Year Plan prior to the public hearing on November 3, 1997. Mr. Austin continued that he would get back to the Board with several dates for the Board to choose from.

Being nothing further for Mr. Austin, Mr. Paulette thanked and excused him.

Mr. Paulette next called on Linda Seay, Mike McCormick and Stella Carter to appear before the Board.

Ms. Seay explained their reason for coming before the Board was to point out several problems with the proposed reconstruction of Route 634. Ms. Seay continued that the problems were as follows:

- 1) Most of the parcels affected were small parcels and in taking part of these parcels for easements, etc., it was leaving the property owners with nowhere to relocate septic system drainfields if needed.;
- 2) One parcel the right of way was close to a well and if a new well was ever needed this area of the county was not the best for locating wells.;
- 3) One parcel after easements were taken the remainder of the parcel would be useless.;
- 4) Traffic would be closer to the existing houses therefore, creating more noise.;
- 5) Landscaping will be effected because a lot of the trees along the roadway will be taken.

Mrs. Seay continued that an alternative would be to move the proposed road over and you would then be dealing with landowners instead of homeowners and then straighten the road.

Mrs. Stella Carter explained that the crossover on Route 460 needed to be moved anyway because it was dangerous and there was not enough sight distance in the East bound lane.

Mrs. Stella Carter continued that due to commercial work going on at the landfill there would be an increase in traffic.

Mr. Torrence stated he had a difficult time understanding why the road could not be moved more towards Westvaco land leaving the Baldwin's and Carter's property in tack.

Mr. Austin explained that the plans had been approved and that public hearings had been held on this project and the most economical solution is what has been proposed.

Further discussion followed.

Being nothing further, Mr. Paulette informed the citizens interested in the Route 634 project, they could meet with Mr. Austin in the juryroom for more information on this project.

Mr. Torrence left to meet with Mr. Austin.

Mr. Paulette next called on Mr. Allen Farley to appear before the Board.

Mr. Allen Farley, Sons of Confederate Veterans Appomattox Rangers Camp #1733, came before the board requesting a permit to hold a reenactment on April 3-5, 1998 on property owned by J. Lyle Moore on Route 608 in the Stonewall area. Mr. Farley continued by providing detailed information about the proposed reenactment.

Mr. Farley explained that it would take \$8,000.00 to \$10,000.00 to put this reenactment on. Mr. Farley continued that they were asking the following things of the Board of Supervisors:

- a) The permit be issued for this event;
- b) The bond be waived;
- c) The permit fee be waived; and
- d) Financial funding, if possible.

After Mr. Farley provided further information Mr. Paulette excused Mr. Farley, and asked if the Board wished to take action on Mr. Farley's request. Mr. Bosiger made a motion seconded by Mr. Moore to approve the permit for the reenactment to be held April 3-5, 1998; waive the fee and the bond. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette next called on Ms. Connie Snavley, CVPDC, to appear before the Board.

Ms. Snavley thanked the Board for their time and explained her reason for coming before the board was to give a report on the Indoor Plumbing Rehabilitation Program in Appomattox County.

Ms. Snavley presented a very informative report to the board explaining that \$100,343.00 had been spent in Appomattox County on three projects.

Mr. Paulette thanked Ms. Snavley for her report and called on Kenneth Franklin to appear before the Board.

Mr. Franklin explained he was coming before the Board on behalf of Concord Volunteer Fire Department requesting funding for an addition to their building. Mr. Franklin presented the Board with a handout for information purposes. Mr. Franklin continued by showing slides of the present building and explaining the funding needed to complete the project.

After the presentation, Mr. Paulette explained the Board would consider this request during the budget process and get back to the Concord Fire Department.

Mr. Paulette next called on Sheriff Staples and Sgt. Craft to appear before the Board.

Mr. Torrence rejoined the meeting.

Sheriff Staples began by stating that he was coming before the Board to present his views as to what a County funded drug related position could do for the County. Sheriff Staples continued that in his opinion a position that dealt strictly with drug related issues would have a positive impact in the County. Sheriff Staples explained what is being done now to work with drug abuse.

Mr. Paulette asked if Sheriff Staples had a dollar figure as to the cost of funding a new position.

Sheriff Staples explained that he felt to totally fund this position it would take approximately \$53,000.00.

After further discussion and by consensus of the Board, Sheriff Staples was asked to get with Mrs. Ferguson to work out the details of this request and get back to the Board.

Mr. Paulette thanked and excused Sheriff Staples and Sgt. Craft.

Mr. Paulette called for Supervisor Concerns.

Mr. Carwile stated that he had been doing some checking on possible alternate cover for the landfill. He continued that Griffin Pipe has a sand by product that he feels could be used for daily cover. Mr. Carwile continued that the sand would be free, the only cost would be for the hauling. Mr. Carwile felt this was worth researching.

Mr. Carwile continued that he felt the Board should consider purchasing a shredder in order to shred and bale our waste stream, thus reducing the waste stream by 80%. Mr. Carwile stated this action would also help with daily cover.

Mr. Paulette stated he felt that recycling was the key to waste stream reduction.

Mr. Paulette called for other concerns.

Hearing none, Mr. Paulette directed the Board's attention to administrative items.

Mr. Paulette presented a request from Stonewall Vineyards for a permit to hold a "Halloween Jazz on the Lawn" and have the bond requirement be waived.

Mr. Carwile made a motion seconded by Mr. Bosiger to approve the permit for Stonewall Vineyards to hold its "Halloween Jazz on the Lawn" October 25, 1997, and waive the bond requirement. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next explained that the Town of Appomattox had provided a lease for use of the Courtland Field during Railroad Festival weekend.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the lease agreement with the Town of Appomattox for use of Courtland Field, Railroad Festival weekend. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then presented a request from the Railroad Festival Board for the use of the Health Department parking lot on October 12, 1997 for an Antique Car Show.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the Railroad Festival Boards use of the Health Department parking lot on October 12, 1997 for an Antique Car Show. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then presented the County's proposed Virginia Juvenile Community Crime Control Act Plan for Board approval.

Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

Virginia Juvenile Community Crime Control Act Local Plan

WHEREAS, the County of Appomattox agrees to participate in The Virginia Juvenile Community Crime Control Act; and

WHEREAS, participation in the Virginia Juvenile Community Crime Control Act requires a local plan be drawn showing how funds will be expended;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Appomattox County that the plan attached to this resolution is the Virginia Juvenile Community Crime Control Act local plan for Appomattox County and that this Board endorses this plan.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a request from Social Services for the foyer in their office to be tiled.

After discussion, and by consensus of the Board, Mrs. Ferguson was asked to get prices on putting tile in the foyer at Social Services.

Mr. Paulette presented supplemental appropriation request from Social Services, School Board, Sheriff's Department, Juvenile and Domestic Relations Court, Maintenance Department, Chamber of Commerce and Law Library.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following appropriations:

Social Services	\$ 2,053.00
School Board	\$ 19,465.71
School Board	\$ 1,225,552.00
Sheriff's Dept.	\$ 123.00
Sheriff's Dept.	\$ 296.42

Sheriff's Dept.	\$	1,500.00
Sheriff's Dept.	\$	60.00
Juvenile & Domestic Relations Court	\$	948.00
Maintenance Department	\$	14,860.00
Law Library	\$	164.47

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Bosiger to pay \$6,372.00 to the Chamber of Commerce as matching funds for a grant from 8105- 6005.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a livestock damage claim in the amount of \$1,010.00 and explained that only \$1,000.00 had been budgeted.

Mr. Bosiger made a motion seconded by Mr. Moore to approve payment of the livestock damage claim for G.D. Gilliam an appropriate \$10.00 to cover this claim. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a request from Richard Pulliam, Director, Holiday Lake 4-H Educational Center, Inc. for waiver of their landfill fees.

Mr. Bosiger made a motion seconded by Mr. Torrence to donate \$540.00 to Holiday Lake 4-H Educational Center, Inc. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented several other supplemental appropriation requests from Court Services Unit, Special Library Fund and the Library.

Mr. Bosiger made a motion seconded by Mr. Torrence to appropriate the following:

\$6,446.00 to 2109-5413

\$ 85.98 to 7301-5414

\$ 872.86 to 7301-5415

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette made a motion seconded by Mr. Torrence to approve CVAAA Lease on the Community Center for October 1, 1997 through September 30, 1998. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Paulette explained that an appointment was needed for the Library Board and Central Piedmont Private Industry Council Policy Board.

After discussion and by consensus of the Board, Mrs. Ferguson was asked to contact Courtland Manufacturing to see if they had a suggestion for nomination.

Mr. Paulette then explained that an additional appropriation would be necessary in the next couple of months in the amount of \$60,000.00 to make the final payment on the loader.

Mr. Paulette presented a request from Mr. Fred Crowe that he be allowed to offer County employees medical I.D. cards.

After discussion, and by consensus of the Board it was agreed that allowing Mr. Crowe to offer Medical I.D. cards to County employees would open the door for other forms of solicitation. Therefore, the Board denied this request.

Mr. Paulette next explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion at 9:35 P.M. seconded by Mr. Bosiger to enter into executive session to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 10:02 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

A public hearing of the Appomattox County Board of Supervisors was held on November 3, 1997 at 6:30 P.M. considering those Appomattox County Board of Supervisors.

Appomattox County Board of Supervisors. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Present: Philip E. Paulette – Chairman – Courthouse District

Being no further business, a motion was made and seconded by Mr. Torrence to recess until after the public hearing on October 20, 1997, if necessary. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Chairman

The Board of Supervisors did not meet on October 20, 1997.

A work session of the Appomattox County Board of Supervisors was held on October 27, 1997 at 5:00 P.M. in Virginia Department of Transportation Office, Ferguson Street, Appomattox, Virginia.

Present: Philip E. Paulette - Chairman- Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent: Russell H. Moore - Piney Mountain District

Also Present: Aileen T. Ferguson ,County Administrator
Andy Carroll, Assistant County Administrator
Sandra Lindsey, VDOT Resident Engineer
Don Austin, VDOT Resident Engineer
Robert Brown, VDOT

Mr. Paulette opened the work session and requested that Ms. Lindsay, VDOT Resident engineer, present the proposed six year plan and secondary road budget for Board review. (A copy of the handouts presented by VDOT is on file in the October 1997 Board file).

After lengthy discussion and review the work session was adjourned.

Chairman

Mr. Paulette then explained that an additional appropriation would be necessary in the next couple of months in the amount of \$60,000.00 to make the final payment on the loader.

Mr. Paulette presented a request from Mr. Fred Crowe that he be allowed to offer County employees medical I.D. cards.

After discussion, and by consensus of the Board it was agreed that allowing Mr. Crowe to offer Medical I.D. cards to County employees would open the door for other forms of solicitation. Therefore, the Board denied this request.

Mr. Paulette next explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion at 9:35 P.M. seconded by Mr. Bosiger to enter into executive session to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 10:02 P.M. Vote: Mr. Paulette, aye; Mr. Bosgier, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Bosiger seconded by Mr. Torrence, the following resolution was adopted:

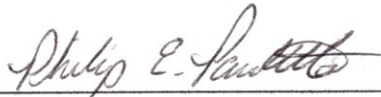
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Being no further business Mr. Bosiger made a motion seconded by Mr. Torrence to recess until after the public hearing on October 20, 1997, if necessary. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

The Board of Supervisors did not meet on October 20, 1997.

A work session of the Appomattox County Board of Supervisors was held on October 27, 1997 at 5:00 P.M. in Virginia Department of Transportation Office, Ferguson Street, Appomattox, Virginia.

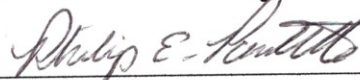
Present: Philip E. Paulette - Chairman- Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Dennis W. Torrence - Appomattox River District

Absent: Russell H. Moore - Piney Mountain District

Also Present: Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator
Sandra Lindsey, VDOT Resident Engineer
Don Austin, VDOT Resident Engineer
Robert Brown, VDOT

Mr. Paulette opened the work session and requested that Ms. Lindsay, VDOT Resident engineer, present the proposed six year plan and secondary road budget for Board review. (A copy of the handouts presented by VDOT is on file in the October 1997 Board file).

After lengthy discussion and review the work session was adjourned.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on November 3, 1997 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Va.

Present: Philip E. Paulette - Chairman - Courthouse District
Garet K. Bosiger - Falling River District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District (arrived at 6:45 P.M.)

Dennis W. Torrence – Appomattox River District

Also Present: Sandra Lindsay, VDOT Resident Engineer
Robert Brown, VDOT
Mike Crawford, VDOT
Aileen T. Ferguson, County Administrator

Mr. Paulette called the public hearing to order and stated the purpose of the public hearing was to obtain citizen input concerning the proposed Six Year Plan and the priorities for the 1998-1999 construction budget. Mr. Paulette continued that requests for improvements and new additions would also be considered at this hearing.

Mr. Paulette then turned the meeting over to Sandra Lindsay, VDOT, Resident Engineer for the Appomattox area.

Ms. Lindsay then passed out the Priority List for the Secondary System Construction Program for July 1, 1998 – June 30, 2004. (A copy is on file in the Board File for November 1997.)

Ms. Lindsay next explained the plan and then reviewed the priorities.

Ms. Lindsay then asked for comments.

Mr. Ronnie Spiggle, Mayor, Town of Appomattox, commented that he appreciated the manner in which Ms. Lindsay handled the meeting with VDOT the Town and the railroad. Mr. Spiggle thanked Ms. Lindsay for her help with the Church Street crossing issue.

Ms. Lindsay next stated they would take request for additions or improvements to the secondary road system by District, beginning with Wreck Island District.

Hearing no request from Wreck Island District, Ms. Lindsay called for request from Falling River District.

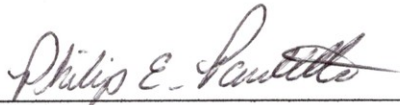
Hearing no request from Falling River District, Ms. Lindsay called for request from Piney Mountain District.

Mr. Moore stated he had received citizen requests for a widening strip along each side of Route 616 from Liberty Chapel Church to Vera.

Ms. Lindsay next called for request from Courthouse District.

Hearing none Ms. Lindsay turned the meeting back over to Mr. Paulette.

Being no further, Mr. Paulette declared the public hearing closed at 6:56 P.M.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on November 3, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette – Chairman – Courthouse District
Garet K. Bosiger – Falling River District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
Andy Carroll- Assistant County Administrator
Thomas W. Lawson- County Attorney

Mr. Paulette called the meeting to order and asked Mr. Carwile to deliver the invocation.

Mr. Paulette next called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the minutes of the regular meeting of October 6, 1997 as submitted. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then called on Ms. Sandra Lindsay, VDOT, Resident Engineer, to appear before the Board.

Ms. Lindsay came forward and stated she only had one item and that was if the Board of Supervisors would be in agreement with adding the improvements requested at the public hearing to Route 616, to the unfunded priority list.

By consensus, the Board of Supervisors told Ms. Lindsay it would be fine to add Route 616 to the unfunded roads priority list.

Mr. Paulette asked if any Supervisors had items for Ms. Lindsay.

Mr. Torrence stated he was pleased with the improvements to Route 631 and felt VDOT had done an excellent job.

Mr. Moore complimented Ms. Lindsay on mowing done on Route 26.

Being nothing further for Ms. Lindsay, Mr. Paulette thanked and excused her.

Mr. Paulette next called on Mr. Bruce Stratton with Concord Volunteer Rescue Squad to appear before the Board.

Mr. Bruce Stratton and Mr. Ken Walsh of the Concord Volunteer Rescue Squad came forward and thanked the Board for allowing them time on the agenda to present their request.

Mr. Stratton explained that their reason for meeting with the Board was to request financial assistance in purchasing a new crash truck. Mr. Stratton explained that the new unit would be larger than their present vehicle with an area for patient care on the unit. Mr. Stratton continued that the new unit will cost approximately \$150,000.00 and they have already raised \$75,000.00.

After further discussion, Mr. Paulette told Mr. Stratton the Board would consider their request at budget time.

Mr. Paulette then thanked and excused Messrs. Stratton and Walsh, and called on Mr. Dale Campbell to appear before the Board.

Mr. Campbell came forward and explained he was representing Appomattox Youth Sports.

Mr. Campbell began by thanking the Board of Supervisors for the opportunity to come before them and present information on the Appomattox Youth Sports programs and also the needs of the programs.

Mr. Campbell continued that Appomattox Youth Sports had more children involved in their programs than the recreation department and school sports programs combined.

Mr. Campbell stated that some of their largest needs were more fields and facilities for storing equipment.

In closing, Mr. Campbell stated he would appreciate the Board of Supervisors keeping the Youth Sports Program in mind at budget time.

Mr. Paulette thanked and excused Mr. Campbell and called on Ms. Sharon Harrup, STEPS, Inc. to appear before the Board.

Ms. Harrup came forward and stated her purpose for coming before the Board was to give a report on STEPS, Inc. activities for the past year and to apprise the Board of their plans for the future.

Ms. Harrup, gave a very informative report to the Board and then invited them to attend the grand opening of their new facility located in Victoria, Virginia.

Mr. Paulette thanked Ms. Harrup for her report and excused her.

Mr. Paulette next called for Supervisor Concerns.

Mr. Carwile stated he had previously mentioned to the Board a possible alternate cover for the landfill and also the possible need for a baler to bale solid waste. Mr. Carwile asked that the Board direct the County Administrator or Assistant County Administrator to get with the County engineer to see if these suggestions are workable.

Mr. Paulette called for other concerns.

Mr. Torrence stated he has a great concern for the families that are the most affected by the proposed Route 634 improvement project.

Mr. Torrence then made a motion to adopt the following resolution:

RESOLUTION

Whereas, the Virginia Department of Transportation in advertising improvements on Route 634 (0.986 miles from Highway 460) did not inform the public of the following:

1. That the right-of-way would be increased from 30ft. to 65 ft.
2. That the additional right-of-way would be "Purchased" right-of-way instead of the normal "Donated" right-of-way.
3. That the phone lines would be moved from the present West side of 634 to the East side of 634 taking an additional 10 ft. of right-of-way.
4. That the new improvements would take approximately one tenth of an acre of the front yard of Gene and Betty Baldwin whose lot measures only 0.68 acres.
5. That the Baldwin's would also have a large drainage ditch created thru their front yard.
6. That the proposed right-of-way for the road plus the phone line would come within 4 ft. of the well and 50 ft. from the front of the home of Ralph and Stella Carter.

And whereas, the landowners across the road from the Baldwin's, namely, Westvaco, Betsy Carter, and Mable Slagle, (no homes involved), were never contacted about selling additional land that, if secured, would have still met Road Curve Standards.

Be it resolved that the 634 plans be adjusted to ease the unnecessary devastation to the homes of Gene and Betty Baldwin as well as Ralph and Stella Carter by doing the following;

1. Take no more than 10 additional feet of state right-of-way from the Baldwins and Carters.
2. Place phone lines on the West side of 634.
3. Pipe road water to lower edge of the Baldwin's yard.

Mr. Paulette called for a second to the motion..

Mr. Paulette again called for a second to the motion.

Hearing none, Mr. Paulette stated the motion died for lack of a second.

Mr. Paulette then requested that Mrs. Ferguson take Mr. Torrence's resolution to VDOT, for clarification of the information in the resolution.

Mr. Torrence next asked the Board to have a surveyor run a line on Mr. Davis's property to show what he would be donating to the County in order that Frog Bottom, (Old Price Lane) road could be constructed.

Mr. Torrence continued that he felt the cost would be approximately \$300.00 for this survey work.

Mr. Torrence made a motion to run one survey line in order to show Mr. Davis where the road is going to be in relation to his property line.

Discussion followed.

Mr. Paulette asked if the Board should not find out a cost, prior to approving this request?

Mr. Carwile stated he was not opposed to the request but felt the Board needed a cost figure prior to proceeding.

Mr. Torrence stated he would contact Mr. Dickerson concerning the cost.

Mr. Paulette requested Mr. Torrence return to the Board, at the next meeting, with a cost for the requested survey.

Mr. Torrence also requested that no truck parking be enforced at the Vera "Super Site".

Mrs. Ferguson stated she would contact the Sheriff's Department regarding this matter.

Mr. Paulette informed the Board the Courthouse Committee had met and was requesting the Board issue an RFP for consulting services for a needs assessment for the Courthouse.

Mr. Paulette next reported on Region 2000 fund raising activities and thanked the Board for their support.

Mr. Paulette presented a request from Mrs. Shirley Eye, Principal at Appomattox County High School, for permission to sell a piece of property that was donated to the Athletic Complex.

Mr. Bosiger made a motion seconded by Mr. Carwile to allow Mrs. Eye to solicit the sale of the 83 ¼ acre parcel donated to the Athletic Complex but must receive Board approval prior to final sale of property. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented several convention/education requests.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to allow Tina and Stacie to attend the Waste Management Conference in Lynchburg. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve for Mr. Lawson to attend a conference in Charlottesville on December 5 and 6, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next presented a supplemental appropriation request for the month of November 1997.

Mr. Bosiger made a motion seconded by Mr. Moore to approve the following supplemental appropriations for November 1997:

31000	\$ 994.00
33010-5407	87.39
31020-5505	121.13
11010-5504	2,645.89
42040-3002	50.00
73010-5416	87.85
31020-1004	287.00
33010-5407	20.00
Social Services	350.00
Law Library	338.97
School Board SNAP Account up to	165,000.00
School Board	17,345.75

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next presented a request from Mrs. Carter to close the landfill one half a day on the Saturday following Thanksgiving.

Mr. Moore made a motion seconded by Mr. Torrence to approve closing the landfill on the Saturday following Thanksgiving. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then presented the Appomattox County Section 125 Plan for approval.

Mr. Bosiger made a motion seconded by Mr. Moore to adopt the Section 125 Plan, as presented. (Copy on file in the County Administrator's Office.) Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented the price for the proposed purchase of a new truck. The cost as presented was \$225,000.00.

After discussion, Mr. Paulette stated Mr. Garrett should go to the Town to request funding for this vehicle and then come back to the Board.

Mr. Paulette next presented a request from Brunswick County for a resolution asking the 1998 Virginia General Assembly to revisit and amend the "Right to Farm" legislation.

Mr. Torrence made a motion seconded by Mr. Bosiger to adopt the following resolution:

RESOLUTION

WHEREAS, the 1994 Virginia General Assembly duly adopted revisions to Section 3.1-22.28 (Right to farm; restrictive ordinances); and,

WHEREAS, local governments throughout Virginia support the intent and purpose of such legislation which was originally promoted as means to protect and enhance agricultural land uses in agriculturally zoned areas; and

WHEREAS, the recent practical experience of local governments in Southside and Central Virginia finds that such legislation has significantly eroded or completely removed their ability to make local land use decisions; and

WHEREAS, there exists a very real prospect that a significant number of large-scale, intensive hog breeding and finishing operations will be developed in Southside and Central Virginia; and,

WHEREAS, there are documented water quality, public health, and environmental problems resulting from, directly or indirectly, the introduction of hog wastes into surface waters and noxious odors into the atmosphere; and,

WHEREAS, the potential threat to the safety and reliability of public water supplies by the introduction of hog waste into surface waters not only affects the health, safety, and welfare of current residents and businesses rural, suburban, and urban jurisdictions, but also the future economic development efforts or publicly-funded utility improvements to be undertaken by these jurisdictions.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia, that it calls upon the 1998 Virginia General Assembly to revisit and amend Section 3.1-22.28 (Right to farm; restrictive ordinances) so as to restore local governments' ability to address large-scale, intensive hog breeding and finishing operations through its previous and heretofore historic authority to oversee land uses for the purpose of protecting and promoting the health, safety, and welfare of its current and future citizens and businesses.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a request from the CPMT team that Mrs. Ferguson be appointed Fiscal Agent for CSA funds.

Mr. Bosiger made a motion seconded by Mr. Moore to appoint Aileen Ferguson as fiscal agent for CSA funds for the remainder of FY98. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette explained that a public hearing was necessary in order to amend the budget to make the final payment on the loader.

After discussion, and by consensus of the Board, November 17, 1997 at 6:45 P.M. was set to hold a public hearing to amend the budget.

Mr. Paulette next presented a request from Mr. Irvin Maddox for a Special Exemption to the Subdivision Ordinance.

After discussion, and by consensus of the Board, Mr. Maddox request was denied because he had an avenue open to him to take care of his problem.

Mr. Paulette explained that Mr. Alan Farley was requesting to relocate the Civil War reenactment to property owned by Mr. Robert Harris. Mr. Paulette stated that Mr. Farley was also requesting a letter of support from the Board for this event.

After discussion, Mr. Bosiger made a motion seconded by Mr. Torrence to approve a Musical and Entertainment Festival Permit for Appomattox Rangers S.C.V. Camp #1733

and waive the fees and bond requirements. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next presented a request from Mrs. Ferguson that County employees be given the same Thanksgiving and Christmas Holidays as approved by the Governor for State Employees.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the same holiday schedule for County employees as the Governor has given to State employees. Vote: Mr. Paulette, aye; Mr. Bosgier, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next informed the Board that an executive session was necessary in order to discuss legal and personnel matters.

Mr. Moore made a motion at 9:15 P.M. seconded by Mr. Torrence to enter into executive session to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 10:38 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

On a motion by Mr. Torrence seconded by Mr. Moore, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to provide funding for a new position for the Sheriff's Department on a 3(three) year trial basis, with the budget as requested by the Sheriff.

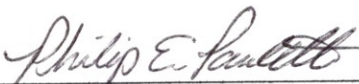
Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to amend the original motion to provide a position of the Sheriffs' Department with an entry level salary for an L7.

Mr. Paulette called for a voted on the amendment to the original motion . Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette called for a vote on the original motion as amended. Vote: Mr. Paulette, nay; Mr. Bosiger, nay; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Being no further business, at 11:02 P.M. Mr. Torrence made a motion seconded by Mr. Moore to recess until after the public hearing on November 17, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye, Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on November 17, 1997 at 6:45 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette, Chairman – Courthouse District
Garet K. Bosiger – Falling River District
Frank H. Carwile – Wreck Island District
Russell H. Moore- Piney Mountain District

Absent: Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator

Mr. Paulette called the public hearing to order and stated the purpose of the hearing was to receive comments on amending the FY98 budget in order to make the final payment on the 973 Loader of \$60,000.00.

Mr. Paulette then called for comments.

Hearing none Mr. Paulette declared the public hearing closed at 6:47 P.M.



 Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on November 17, 1997 at 6:48 P.M. after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette, Chairman – Courthouse District
 Garet K. Bosiger – Falling River District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District

Absent: Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson, County Administrator
 Andy Carroll, Assistant County Administrator
 Sammy E. Carter, Supervisor Elect

Mr. Paulette called the recessed meeting to order at 6:48 P.M. and explained that an executive session was necessary to discuss a legal matter.

Mr. Moore made a motion at 6:49 P.M. seconded by Mr. Bosiger to enter into executive session to discuss a legal matter. Vote Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye;

On a motion by Mr. Bosiger seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 7:00 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

On a motion by Mr. Bosiger seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette recessed the meeting until after the Planning Commission meeting.

At 7:24 P.M., Mr. Paulette reconvened the meeting.

Mr. Paulette then explained that a resolution was necessary in order to adopt the Section 125 Plan that was approved at the November 3, 1997 meeting.

Mr. Moore made a motion seconded by Mr. Bosiger to adopt the following resolution:

WHEREAS, it is desirable to establish a "cafeteria plan" within the meaning Of Section 125 of the Internal Revenue Code, as amended from time to time, to Provide certain benefits to the Employees of the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the APPOMATTOX COUNTY PREMIUM ONLY PLAN be and hereby is established and adopted effective July 30, 1990 to read substantially in the form presented to this Board.

FUTHER RESOLVED, that the County Administrator is Authorized and directed to execute such plan documents.

FURTHER RESOLVED, that the County Administrator is authorized And directed to perform any acts and execute any documents necessary or appropriate To effectuate this resolution.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette next explained that several supplemental appropriations were necessary.

Mr. Carwile made a motion seconded by Mr. Bosiger to make a supplemental appropriation of \$7,500.00 to 31010 for grant funds received. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger made a motion seconded by Mr. Moore to appropriate \$2010.95 from special Library Account to purchase computer. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette then explained that several zoning issues needed attention. Mr. Paulette continued that Mr. Tommy O'Brien had not met conditions placed upon him when his request for rezoning was approved; and also a complaint had been received against Mr. William Briggs, stating that he was not meeting the conditions he set forth in his conditional use application.

After discussion and by consensus of the Board, Mrs. Ferguson was instructed to write letters to these individuals explaining the problems.

Mr. Paulette next explained there was a meeting scheduled for December 2, 1997 at 10:00 A.M. to discuss the TransAmerica Corridor Feasibility Study. Mr. Paulette continued if anyone was interested in attending, Mrs. Ferguson had additional information.

Mr. Paulette next asked the Board if they wished to participate in the American Heritage Rivers application designating the James River as an American Heritage River.

After discussion, Mr. Bosiger made a motion seconded by Mr. Moore to decline participation in the American Heritage River application. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette then explained that at the November 3, 1997 meeting it was decided that each Board member would bring a list of capital projects to the recessed meeting for review. Mr. Paulette then provided a handout of his list of capital projects.

A lengthy discussion followed.

Being no further administrative items, Mr. Paulette explained that it was necessary to reenter executive session to discuss a personnel matter.

Mr. Moore made a motion at 7:49 P.M. seconded by Mr. Bosiger to enter into executive session to discuss a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

On a motion by Mr. Bosiger seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 8:28 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

On a motion by Mr. Bosiger seconded by Mr. Moore, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I)

only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Paulette asked if there was any action necessary from the executive sessions?

Mr. Bosiger made a motion seconded by Mr. Moore to make a counter offer to Carter Machinery that the County would pay one half of the \$11,692.75 bill for repairing damage to the 973, and appropriate the same. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger explained he had been contacted by a member of the Red House Volunteer Fire Department concerning communications problems between them and the Appomattox County Volunteer Fire Department.

Discussion followed.

Being no future business, Mr. Bosiger made a motion seconded by Mr. Carwile to adjourn at 8:45 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye.


Chairman

A Regular meeting of the Appomattox County Board of Supervisors was held on December 1, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette, Chairman- Courthouse District
Garet K. Bosiger – Falling River District
Frank H. Carwile- Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson, County Administrator
Samuel E. Carter, Supervisor Elect
Andy Carroll, Assistant County Administrator
Thomas W. Lawson, County Attorney

Mr. Paulette called the meeting to order at 7:00 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Paulette then called for additions or corrections to the minutes.

Mr. Bosiger stated he had one correction in the minutes of the regular meeting of November 3, 1997, page 8 of the draft copy, the motion on a new position for the Sheriff's Department was made by Mr. Carwile not Mr. Paulette.

Mr. Carwile stated that in the same discussion he questioned if the vote on the amendment to the original motion was correct, given the vote on the original motion.

Mr. Paulette stated that the vote on the amendment was correct.

Mr. Paulette then called for a motion to approve the minutes as corrected.

Mr. Torrence made a motion seconded by Mr. Bosiger to approve the minutes as corrected. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette stated he would like to recognize Chris Ketcherstd, a Boy Scout, who has been working on his citizenship badge for several months. Mr. Paulette continued that one of Chris' steps required that he attend a public meeting of the Board.

Mr. Paulette next called Mr. Jack Baker and Sheriff Staples to come forward.

Mr. Paulette stated that Jack Baker has helped the County and the Sheriff's Department in a special way, and therefore the Sheriff and the Board wished to thank Mr. Baker by presenting him with an outstanding citizen plaque.

Mr. Paulette then called on Ms. Sandra Lindsay, VDOT, Resident Engineer, to come forward.

Ms. Lindsay explained that she was requesting three resolutions from the Board. Two resolutions were involving paving roads with less than 40 feet of right of way and one resolution was to adopt the six year plan and budget.

Mr. Bosiger made a motion seconded by Mr. Torrence to adopt the following resolutions:

WHEREAS, the 1997 Session of Virginia General Assembly amended and re-enacted Section 33.1-70.1 of the Code of Virginia relating to the paving of certain secondary roads, and

WHEREAS, this act provides for the adoption of a resolution by the governing body of any county requesting the Virginia Department of Transportation (VDOT) to consider the hardsurfacing of any secondary road meeting the criteria prescribed by this statute, and

WHEREAS, Route 622 from 1.2 mile West of Route 620 to 1.35 mile West of Route 620 between Route 633 and Route 620 is included in the current six-year plan for improvements to the secondary system in the county, and

WHEREAS, this Board has requested VDOT's Resident Engineer to review this section of road to determine if it is a viable candidate for hardsurfacing under the provisions of this statute, and

WHEREAS, the Resident Engineer has determined that this road is eligible for paving under this statute.

BE IT THEREFORE RESOLVED, the Appomattox County Board of Supervisors hereby requests that the Department of Transportation hardsurface this road in accordance with the provisions of Section 33.1-70.1 of the Code of Virginia and the related policies of that agency.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

WHEREAS, the 1997 Session of the Virginia General Assembly amended and re-enacted Section 33.1-70.1 of the Code of Virginia relating to the paving of certain secondary roads, and

WHEREAS, this act provides for the adoption of a resolution by the governing body of any county requesting the Virginia Department of Transportation (VDOT) to consider the hardsurfacing of any secondary road meeting the criteria prescribed by this statute, and

WHEREAS, Route 704 between Route 605 and end of State Maintenance is included in the current six-year plan for improvements to the secondary system in the county, and

WHEREAS, this Board has requested VDOT's Resident Engineer to review this section of road to determine if it is a viable candidate for hardsurfacing under the provisions of this statute, and

WHEREAS, the Resident Engineer has determined that this road is eligible for paving under this statute.

BE IT THEREFORE RESOLVED, the Appomattox County Board of Supervisors hereby requests that the Department of Transportation hardsurface this road in accordance with the provisions of Section 33.1-70.1 of the Code of Virginia and the related policies of that agency.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, the Board of Supervisors of Appomattox County, and the Virginia Department of Transportation held a public hearing on November 3, 1997, in accordance to Section 33.1-70.01 of the Code of Virginia at which the proposed Six Year Plan for Secondary Road Improvements for 1998-99 thru 2003-04, was presented by S. B. Lindsay, Resident Engineer for the Virginia Department of Transportation.

WHEREAS, the proposed list for the 1998-99 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six-Year Plan for 1998-99 thru 2003-04 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 1998-99 Secondary Road Construction Budget is hereby approved.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Ms. Lindsay asked if anyone had request for her.

Mr. Carwile thanked Ms. Lindsay for her information on markings for Route 608.

Mr. Torrence asked if VDOT had funds to survey Mr. Davis's property in Frog Bottom so that Mr. Davis will donate his right-of-way.

Ms. Lindsay stated that there were no VDOT funds that were available to survey Mr. Davis' property.

Mr. Paulette thanked and excused Ms. Lindsay and called on Mr. Stan Goldsmith, Program Manager with Region 2000, to appear before the Board.

Mr. Goldsmith thanked the Board for allowing him to come before them and bring the Board up to date on Region 2000 plans and progress.

Mr. Goldsmith gave a very informative presentation to the Board providing information on jobs created in the region as well as information on training programs initiated by Region 2000.

Mr. Goldsmith asked if anyone had questions about Region 2000.

General discussion followed.

Mr. Paulette thanked and excused Mr. Goldsmith and called on Mr. Ed Berry, casemanager with Piedmont ASAP, to appear before the Board.

Mr. Berry began by explaining how the Court Community Corrections Program came about. Mr. Berry continued that the Court Community Corrections Program was totally offender funded, there were no State, Federal or Local dollars going into this program. Mr. Berry also gave statistics on the number of offenders served. In closing Mr. Berry thanked the Board of Supervisors for their support.

Mr. Paulette thanked and excused Mr. Berry.

Mr. Paulette next called for Supervisor concerns.

Mr. Torrence began by stating that since it was the County's responsibility to procure right-of-way for the "Frog Bottom" road; he felt the County should pay to have the survey done for Mr. Davis, so that he would know what he would be donating to the county.

Discussion followed.

After discussion, Mr. Torrence made a motion to hire Mr. Bill Dickerson to survey Mr. Davis' line at an approximate cost of \$300.00 to \$1000.00.

Mr. Paulette called for a second.

Hearing none, Mr. Paulette stated the motion died for a lack of a second.

Mr. Paulette called for other concerns.

Mr. Bosiger stated that he felt that the Board had not come to a successful resolution with the Sheriff on the funding of a new deputy position and that maybe the Board had been to hasty in making a decision. Mr. Bosiger continued that he felt in light of the capital projects facing the County, maybe this new position should be looked at again in the budget process.

Mr. Moore stated he would like to make a motion to rescind the motion to hire the new deputy until further study could be given to this issue. Mr. Bosiger seconded the motion.

Mr. Carwile asked if Mr. Moore's motion was to rescind the motion in it's entirety or only the amendment concerning the salary for the new deputy position until further study could be done.

Mr. Moore stated his motion was to rescind all action taken on the new deputy position until further study could be done.

Discussion followed.

Mr. Paulette called for a vote on the motion.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, nay; Mr. Moore, aye; Mr. Torrence, nay.

Ms. Ferguson was directed to schedule a meeting with Sheriff Staples to discuss this issue.

Mr. Paulette called for other Supervisor Concerns.

Hearing none, Mr. Paulette began with the first administrative item, a request from Habitat for Humanity that the building permit and landfill fees be waived on their present project.

Mr. Bosiger made a motion seconded by Mr. Moore to waive building permit fees and landfill fees for Habitat for Humanity's present project. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a Memorandum of Understanding between Robert E. Lee Soil and Water Conservation District and Appomattox County, for approval.

Mr. Moore made a motion seconded by Mr. Torrence to approve the Memorandum of Understanding between Robert E. Lee Soil and Water Conservation District and Appomattox County. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye. (A copy on file in the County Administrator's Office).

Mr. Paulette next presented a request from Andy Carroll for his dues in the Virginia Economic Developers Association to be paid.

Mr. Bosiger made a motion seconded by Mr. Moore to pay dues of \$75.00 for membership in Virginia Economic Developers Association for Andy Carroll. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then presented supplemental appropriation requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following supplemental appropriation requests:

42040 - 3004	4,773.55
42040 - 5804	3,500.00
42040 - 3002	8,544.00
42040 - 8001	60,000.00
21090	345.00
33010 - 5407	40.00
35010	25.00

73010 - 5416
Law Library

39.95
421.37

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette presented a request from Mrs. Carter, at the landfill, for Saturday closings on December 27 and January 3, 1998.

Mr. Bosiger made a motion seconded by Mr. Moore that the landfill be closed on December 27, 1997 and January 3, 1998. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette explained that three members of the Planning Commission were up for reappointment.

Mr. Moore made a motion seconded by Mr. Torrence to reappoint Wayne Lewis, Claude Allen Moore and Calvin Tanner to the Planning Commission for the term October 1, 1997 to September 30, 2001. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette explained that Bible Baptist Church had requested the use of the Courtland Field for a live nativity scene.

Mr. Bosiger made a motion seconded by Mr. Moore to allow Bible Baptist Church the use of the Courtland Field for a live nativity scene. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next explained that W.H. Williamson was resigning from the Rural Transportation Committee effective January 1, 1998; and a replacement was needed. Mr. Paulette asked the other members of the Board to come back with names for this committee at the next meeting.

Mr. Paulette next presented a request from Mrs. Margaret M. Glover, President Appomattox County Farm Bureau, asking that the Board rescind previous action taken requesting the General Assembly revisit the Right to Farm Act.

A lengthy discussion followed.

After discussion, no action was taken.

Mr. Paulette then called on Mr. Earl Dickerson, Hurt and Proffitt, Inc. and Mrs. Tina Carter, Landfill Operator Supervisor, to come before the Board.

Mr. Paulette explained that Mr. Dickerson was meeting with the Board to explain his response to several issues relating to the landfill operation. Mr. Paulette then asked Mr. Dickerson to proceed with his information.

Mr. Dickerson began by saying that Ms. Ferguson had contacted him in regards to questions raised by the Board on alternate daily cover and baling of solid waste. Mr. Dickerson, continued that he had written a letter addressing these issues as well as, providing information on the time involved with the permitting process for a new cell. Mr. Dickerson explained that since he wrote his letter, he had obtained further information that made him want to take a closer look at the baling of solid waste.

Mr. Dickerson said he felt the best way to review the issues was to follow them as outlined in his letter. (Letter on file in December 1997 Board file).

The first issue discussed was the possible use of shredders and balers to process solid waste for disposal. Mr. Dickerson stated there were very few of this type operation around especially in this part of the Country. Mr. Dickerson did however find one operation in Accomack County that he felt was worth pursuing further.

Mr. Dickerson next answered questions concerning the time and cost involved in the permitting process. Mr. Dickerson explained that if the County continues in the solid waste business they will have to dig another trench.

A lengthy discussion followed with the Board requesting Mr. Dickerson return at the January 1998 meeting with a cost for engineering fees for the remainder of FY97 for beginning the permitting process.

Mr. Dickerson next discussed the idea of using a sand slag by product from Griffin Pipe Company as an alternate daily cover. In conclusion Mr. Dickerson stated he saw no benefit to using this by product.

Mr. Paulette asked if there was anything else for Mr. Dickerson.

Hearing no comments, Mr. Paulette thanked Mr. Dickerson for the information.

Mr. Paulette stated he would like to make a few comments. He continued that he had enjoyed his tenure on the Board of Supervisors for the past years. Mr. Paulette continued that even though he would not be serving on the Board, he offered his services to the County in any way they felt he would be useful.

Mr. Paulette then thanked Ms. Ferguson and the office staff for their hard work and dedication to the County and for making his job as chairman easier.

Mr. Paulette then explained that an executive session was necessary to discuss legal and personnel matters.

Mr. Moore made a motion at 9:16 P.M. seconded by Mr. Torrence to enter into executive session to discuss a legal and a personnel matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Bosiger it was resolved the Board of Supervisors return to regular session at 10:04 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded Mr. Bosiger, the following resolution was adopted.

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette asked if there was any action necessary from the executive session.

Hearing none, and there being no further business, Mr. Moore made a motion seconded by Mr. Torrence to recess at 10:10 P.M., until after the public hearing on December 15, 1997. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council and the Appomattox County Planning Commission was held on December 15, 1997 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: (Board of Supervisors)
 Philip E. Paulette – Chairman – Courthouse District
 Garett K. Bosiger – Falling River District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Present: (Town Council)
 Mayor Spiggle
 R. L. Bass
 Marvin Mitchell
 Jimmy Mayberry
 Rick Pack
 Steve Lawson
 Sammy Carter

Present: (Planning Commission)
 Al Sears – Chairman
 Claude Allen Moore
 Wayne Lewis
 Elizabeth Edwards
 Robert Johnson
 Kevin O'Brien
 Russell Moore
 Sammy Carter

Absent: (Planning Commission)
 Calvin Tanner
 James Seftor

Also Present: Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 W.M. Caldwell, Jr. – Clerk, Planning Commission
 Thomas W. Lawson – County Attorney

Mr. Paulette called the public hearing to order explained the purpose of hearing was to receive public comment on several zoning petitions and stated the procedure for addressing comments.

Mr. Paulette then asked Bill Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition 97-329 of Spout Spring Ruritan Club for a Conditional Use Permit to allow construction of new club building for purposes of the Spout Spring

Ruritan Club. Property is Tax Map Parcel No. 73-A-1. Property is zoned A-1 and is located on Route 460 between Route 667 and Route 648.

Mr. Paulette called for comments on this petition.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the next petition.

Mr. Caldwell read the next four petitions from Central Virginia Electric Coop. Petition 97-330 of Central Virginia Electric Coop. for a conditional use permit to allow installation of an 85-foot pole to provide communication capabilities between sub-station and company office. Property is Tax Map No. 111A1(1)-30. Property is located on Route 460 between Route 628 and Route 601. Property is zoned A-1.

Petition 97-331 of Central Virginia Electric Coop. For a Conditional Use Permit to allow the installation of an 85-foot pole to provide communication capabilities between sub-station and company office. Property is Tax Map No. 36-A-11. Property is located on Route 667 between Route 673 and Route 608. Property is zoned A-1.

Petition 97-332 Central Virginia Electric Coop. For a conditional use permit to allow installation of an 85-foot pole to provide communication capabilities between sub-station and company office. Property is Tax Map No. 12(A) Parcel 45. Property is located on Route 654 between Route 615 and Route 60. Property is zoned A-1.

Petition 97-333 of Central Virginia Electric Coop. For a conditional use permit to allow an 85-foot pole to provide communication capabilities between sub-station and company office. Property is part of Tax Map No. 64 (A) 35. Property is located on Route 26 between Route 1029 and Route 677. Property is zoned A-1.

Mr. Paulette called for comments on these petitions.

Mr. Bruce Maurhoff came forward and stated he was there to speak on behalf of Central Virginia Electric Coop. Mr. Maurhoff stated they were setting up these sites in order to better communicate with their substation. These sites would enable them to monitor and control the equipment from their office.

Mr. Paulette called for other comments.

Hearing none, Mr. Paulette asked Mr. Caldwell to read the final petition.

Mr. Caldwell read petition 97-334 of Nancy L. Conner to rezone property from R-2 to B-1. Property is located on the Corner of Court Street and Bandanna Street, which is, lots 14-17. Property is Tax Map No. 64A5 (4) BKA 14.

Mr. Paulette called for comments on this petition.

Mr. Brian Selz come forward and stated he was speaking on behalf of Nancy and Steven Conner. Mr. Selz explained that the Conner's were only interested in one thing, a car dealership and the only way to get the license was to rezone the property to B-1. Mr. Selz continued that Council could restrict their approval to only an office for a car

dealership. Mr. Selz stated this business would be low volume and low profile with no change to the present business. He continued that he did not feel the character of things would change due to this use. Mr. Selz asked the Board for a favorable decision for the Conners' and thanked the Board for their time.

Mr. Paulette called for other comments.

Mr. Eugene Terkelson came forward and gave his address as Highland Avenue, Appomattox, Virginia. Mr. Terkelson stated he was opposed to a car dealership on Court Street due to the historical nature of Appomattox.

Mr. Paulette called for other comments.

Mr. James Moore came forward and gave his address as High Street. Mr. Moore stated he had lived on High Street for 28 years and did not want any type business there. Mr. Moore asked that the petition to be denied.

Mr. Paulette called for other comments.

Mrs. June Chenault came forward and gave her address as High Street. Mrs. Chenault stated she had lived on High street for 36 years and that it has always been a nice, safe, secure, residential area. Mrs. Chenault asked that the petition be denied.

Mr. Paulette called for other comments.

Mrs. Nancy Lawson came forward and gave her address as Route 4 Box 15, Appomattox, Virginia. Mrs. Lawson stated that she did not feel this area was the place for B-1 zoning. Mrs. Lawson stated she felt considering Appomattox was an historical town she felt this street was no place for this type business. Mrs. Lawson concluded that she did not feel this would be an asset on the street and therefore she requested the Council deny this request.

Mr. Paulette called for other comments.

Mr. Bob Scherle came forward and gave his address as Virginia Avenue. Mr. Scherle stated he is concerned with his property being devalued if this zoning change is granted. Mr. Scherle is also concerned with compromising the historical value of the Town. Mr. Scherle questioned whether the Council could impose restrictions if the property is rezoned to B-1. Mr. Scherle then thanked the Board for their patience.

Mr. Paulette called for other comments.

Mr. Frank Banko came forward and stated his address as 402 Court Street. Mr. Banko continued that he was speaking on behalf of himself and his wife. Mr. Banko stated he wanted to protect his property, therefore, he is opposed to the rezoning.

Mr. Paulette called for other comments.

Mr. Mike Robertson came forward and stated he lived on High Street directly behind the Conner property. Mr. Robertson stated he was not in favor of rezoning but he was not in favor of not rezoning either. Mr. Robertson continued that if the Conner's do what they say they're going to do, he has no problem with their proposal. Mr. Robertson continued that he does not have a problem with over commercializing the Town. Mr. Robertson stated if Council would restrict the property to a car dealership, he would have no problem with the change.

Mr. Paulette called for other comments.

Hearing none, he stated the Clerk had several letters to read into the record.

Mr. Caldwell read the following letters:

December 15, 1997

Route 5 Box 326
Appomattox, VA 24522

TO: APPOMATTOX COUNTY PLANNING COMMISSION

Dear Planning Commission Members:

This letter is in reference to Steve Conner's request of his property on Court Street.

I would like to go on record as not opposing this request. Since my brother and I own the property where my parents live, which is next door to Steve's office, we have discussed the request in depth with Steve. He has assured us that if granted this request, he will do nothing to detract from the value or put anything here that will detract from the residents and their homes in this neighborhood. Steve has always been honest with us and with my parents about his intentions for this request. Since he has always in the past had a well kept and attractive business, I feel that I must take Steve at his word that he will continue to do so and that he will put nothing on this property that will detract from the neighborhood. Because he has always been such a "good neighbor" to my parents, I feel that I must take Steve at his word, and trust him to do nothing that will affect my parents home.

Therefore, I am not opposing this request at this time, and will continue my position on this request unless at some time in the future, what Steve has promised me and my family he will do with his property proves to be false.

Thank you for the opportunity to express my opinion.

Sincerely,

Cindy Ranson

We have lived on Court Street over 56 years and have owned our home for 42 years. We strongly oppose rezoning this end of Court Street, as it would not only devalue our property but at our age (85 & 82) cause too much confusion.

We are not able to go out at night, so please accept this note as our vote against rezoning.

Harry Wilson Guill
Nettie T. Guill

November 10, 1997

Gentleman:

We the residents and taxpayers of High and Court Street request that the Appomattox County Planning Commission, the Appomattox Board of Zoning Appeals and the Appomattox Town Council vote **NO** to the petition 97-327. This petition is to rezone property from R-1 to B-1 which is located on the corner of Court Street and Bandanna Street which are lots 14-17. This property is on Tax Map #64A5 (4) BKA14.

Thank you for your consideration.

Sincerely,

June Chenault, Annie Goodrich, Mildred Hubbard, James Moore, Martha Hayden, Frank Banko, Margaret Banko, Jane Carter, Nancy Lawson, Jackie O. Kerr, Winfred Guthrie, Cindy Guthrie, Thelma Marcuson, Calvin Mitchell, Wilson Guill, Nettie Guill, Carlton Guill, Eva Guill, H. Ottway Guill, Barbara J. Guill, Lester Wingfield, Flossie Wingfield, Louise Repass.

Being no further, Mr. Paulette declared the public hearing closed.

Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on December 15, 1997 at 8:23 P.M. in the Courthouse, Courthouse Square, and North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette – Chairman – Courthouse District
Garet K. Bosiger – Falling River District

Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 Thomas W. Lawson – County Attorney
 Samuel E. Carter – Supervisor Elect

Mr. Paulette called the recessed meeting to order, and explained the Planning Commission had recommended approval of Spout Spring Ruritan Clubs zoning petition, and asked the Board to act on this petition.

Mr. Moore made a motion seconded by Mr. Torrence to accept the Planning Commission recommendation on petition 97-329 of Spout Spring Ruritan Club for a conditional use permit to allow the construction of new club building for purposes of the Spout Spring Ruritan Club. Property is Tax Map No. 73-A-1. Property is zoned A-1 and is located on Route 460 between Route 667 and Route 648. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then called Mr. Monte Mays, Commissioner of Revenue, to appear before the Board.

Mr. Mays explained that he had requested to meet with the Board to explain the new law concerning personal property values. Mr. Mays continued that this law states that the governing body is responsible for setting the ratio that the Commissioner of Revenue uses for setting the fair market value of personal property. Mr. Mays explained the various methods that may be used and also what he was presently doing.

Questions and answers followed.

Being nothing further for Mr. Mays, he was thanked and excused.

Mr. Paulette next asked the Board to turn their attention to the supplemental appropriation requests.

Mr. Bosiger made a motion seconded by Mr. Torrence to approve the following supplemental appropriations:

3102-1002	\$ 192.00
3301-5407	20.00
	\$ 27,550.00 for the Sheriff's Department for a grant received.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next explained that Ms. Ferguson was requesting the Board purchase a check signer.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to purchase a check signer in the amount of \$2690.00 and appropriate the same. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette next presented a request from Mr. Donald Martin that the Board purchase a chipper/shredder vacuum.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to purchase a chipper/shredder vacuum for \$665.85 and appropriate the same. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Paulette next presented sealed bids on surplus vehicles at the landfill. Mr. Paulette explained that only one bid was received from Litchford's Garage.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to accept the following bids from Litchford's Garage.

1962 Ford Fire Truck	\$ 528.99
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1982 Ford Garbage Truck	2,168.99
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1986 Mack Garbage Truck	2,628.99
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Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Paulette next informed the other Board members of three upcoming meetings and if they wished to attend any of the meetings to let Ms. Ferguson know.

Mr. Paulette then explained that the Planning Commission District Commission was requesting additional funding to continue processing the County's application for Indoor Plumbing Rehabilitation projects.

Mr. Carroll then presented more detailed information on the reason for needing additional funding.

After discussion, Mr. Torrence made a motion seconded by Mr. Bosiger not to supplement the application for indoor plumbing/rehabilitation grant funds. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette then presented two (2) bids on the County's insurance.

After discussion and by consensus of the Board it was agreed to continue with Cabell Insurance for another year.

Mr. Paulette next informed the other members of the Board that the \$250,000.00 was now available to transfer into the CIP Account.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to transfer \$250,000.00 from the General Revenue Fund into the CIP Account. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Paulette asked if there were any other matters to come before the Board.

Hearing none, Mr. Paulette explained an executive session was necessary to discuss two (2) personnel matters and a legal matter.

Mr. Torrence made a motion at 9:05 P.M. seconded by Mr. Bosiger to enter into executive session to discuss legal and personnel matters. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 11:04 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette called for any action from executive session.

Mr. Torrence made a motion seconded by Mr. Carwile to support Terry Eagles' position at approximately \$40,000.00 for three years. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Carwile to increase Al Jones' salary to \$24,163.56 and Ann Dixon's salary by 5% effective January 1, 1998. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

At 11:13 P.M. Mr. Moore made a motion seconded by Mr. Bosiger to adjourn. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Chairman

A special meeting of the Appomattox County Board of Supervisors was held on December 22, 1997 at 12:00 Noon in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Philip E. Paulette – Chairman – Courthouse District
Garet K. Bosiger – Falling River District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent: Frank H. Carwile – Wreck Island District

Also Present: Andy Carroll – Assistant County Administrator
Samuel E. Carter – Supervisor Elect
Thomas W. Lawson – County Attorney
Tina Carter – Landfill Supervisor
Peggy Sublett – Emanuel Tire of Virginia

Mr. Paulette called the meeting to order at 12:00 Noon and stated that the special meeting had been called to discuss the Emanuel Tire of Virginia operation at the landfill. Mr. Paulette then explained that an executive session was necessary to discuss a legal matter.

Mr. Torrence made a motion at 12:02 seconded by Mr. Bosiger to enter into executive session to discuss a legal matter. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 1:15 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance

with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Paulette called for any action from executive session. Mr. Bosiger made a motion seconded by Mr. Torrence that:

Emanuel Tire of Virginia would be allowed to bring in tires to the landfill at a ratio of three (3) tires off the ground for every one (1) tire off the truck. This 3 to 1 ratio would be maintained on a weekly basis. The landfill would maintain the official log of tires in and out. Emanuel Tire would no longer have free access to the gate. The gate will be manned by landfill employees at all times and new locks will be placed on the landfill entrance. Ms. Carter, will be responsible for maintaining the official tire logs to make sure the 3 to 1 ratio is being met. No new tires will be placed on the ground, tires will only come off the ground. Mr. Lawson, will investigate the possibility of attaching liens to the equipment owned by Emanuel Tire of Virginia. Earl Dickerson, the county engineer, will contact Department of Environmental Quality about compliance with the permit. The county will ask Emanuel Tire to pay landfill employees for the time they man the gate.

If Emanuel Tire does not meet the above requirements the County will 1) immediately stop any in bound tires from entering the landfill, and 2) Mr. Lawson will execute the liens. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger made a motion seconded by Mr. Torrence to adjourn meeting at 1:30 P.M. Vote: Mr. Paulette, aye; Mr. Bosiger, aye; Mr. Moore, aye; Mr. Torrence, aye.

Chairman

The organizational meeting of the Appomattox County Board of Supervisors was held on January 5, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Garet K. Bosiger – Falling River District
 Samuel E. Carter – Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 Thomas W. Lawson – County Attorney

This being the Annual Organizational Meeting, the County Administrator called the meeting to order at 7:00 P.M. The invocation was given by Supervisor Torrence and nominations for Chairman of the Board for 1998 were requested. Mr. Carwile nominated Mr. Bosiger as chairman of the Appomattox County Board of Supervisors for 1998. Mr. Torrence seconded the nomination.

Mr. Torrence moved the nominations be closed. Mr. Moore seconded the motion. Vote: Mr. Bosiger, abstained; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mrs. Ferguson called for a vote on the nomination of Mr. Bosiger for Chairman. Vote: Mr. Bosiger, abstained; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked the other members of the Board for their confidence and called for nominations for Vice-Chairman.

Mr. Torrence made a motion seconded by Mr. Carwile to nominate Mr. Moore for Vice-Chairman of the Appomattox County Board of Supervisors for 1998.

Mr. Carter moved the nominations be closed. Mr. Torrence seconded the motion. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, abstained; Mr. Torrence, aye.

Mr. Bosiger then called for a vote on the nomination of Mr. Moore for Vice-Chairman of the Appomattox County Board of Supervisors 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, abstained; Mr. Torrence, aye.

Mr. Bosiger next explained that the Board needed to adopt Rules of Order; establish meeting dates, time and place; and give any special instructions to the County Administrator.

Mr. Carwile explained that he felt the Chairman should be allowed to make motions, and that in his research he had found that small Boards could allow for this. Mr. Carwile continued that he felt denying the Chairman the ability to make motions hindered the Chairman's effectiveness to represent his district.

Discussion followed.

After discussion, and by consensus of the Board, it was agreed to continue with Roberts Rules of Order Simplified until Ms. Ferguson could order copies of Roberts Rule of Order Newly Revised, for each members review.

Meeting dates, time and place were next discussed at length, with several suggestions being heard.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile for the Board to meet the 1st and 3rd Monday of each month at 7:00 P.M. with the first Monday being appearances before the Board and the third Monday the zoning Public Hearing and Administrative Items. Also, no new business would be started after 9:30 P.M., but would be postponed until another meeting. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if anyone had instructions for the County Administrator.

Mr. Carwile presented a copy of the Organizational Chart and asked Ms. Ferguson if she felt the system worked.

Ms. Ferguson explained that if the chart were followed it was an asset to her performing her job. Ms. Ferguson continued she would provide Mr. Carter with a copy of this information, since he was new to the Board.

By consensus, the Board of Supervisors thanked Ms. Ferguson for the job she had been doing and stated she should continue as she has in the past.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of December 1, 1997; a recessed meeting of December 15, 1997; Public Hearing of December 15, 1997 and a Special Meeting of December 22, 1997. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then welcomed Mr. Sammy Carter to the Board.

Mr. Bosiger next called Ms. Sandra Lindsay, VDOT, Resident Engineer to appear before the Board.

Ms. Lindsay stated she did not have any business for the Board but would try to handle any concerns the members of the Board might have.

Mr. Torrence asked the progress of the Route 632 upgrades.

Ms. Lindsay reported the project was progressing.

Mr. Moore complimented Ms. Lindsay on the snow removal in the County during the last snowfall.

Mr. Torrence then asked the status of the funds for development of "Frog Bottom".

Ms. Lindsay stated the funding was not a problem.

Being nothing further for Ms. Lindsay, she was thanked and excused.

Mr. Bosiger next called Mr. Dale Campbell and Mr. Bruce Drinkard, representatives of the Appomattox Youth Sports, to appear before the Board.

Mr. Campbell presented the Board with a handout detailing income and expenditures for the sports programs.

A general discussion followed.

Mr. Campbell in closing asked the Board to reinstate their contribution to the Youth Sports programs for the coming fiscal year.

Mr. Bosiger thanked and excused Messrs. Campbell and Drinkard.

Mr. Bosiger next called on Mr. Alan Farley, Sons of Confederate Veterans, to appear before the Board.

Mr. Farley began by presenting the members of the Board with a handout detailing the expenses anticipated for the planned re-enactment. Mr. Farley requested the Board fund the \$2000.00 insurance premium to cover this event.

After discussion, and by consensus of the Board, it was agreed to act on this request at the January 20, 1998 meeting.

Mr. Bosiger thanked Mr. Farley and called Mr. Earl Dickerson, Hurt and Proffitt, to appear before the Board.

Mr. Dickerson came forward and presented the Board with cost estimated for engineering fees related to landfill permit applications part A & B.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to proceed with part "A" & "B" application to open a new cell at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mr. Dickerson;

Mr. Bosiger next called for Supervisor Concerns.

Mr. Carwile questioned the need for a policy on use of credit cards.

Ms. Ferguson was instructed to submit to the Board for approval, guidelines for the use of credit cards issued to the County.

Mr. Bosiger called for other Supervisor Concerns.

Mr. Carter stated he had a question on the schools financial information concerning funds being spent on transportation during the months of July and August.

Ms. Ferguson stated she would find out what these funds were spent on and report back to the Board.

Mr. Bosiger then turned the Boards attention to the Administrative Items.

Mr. Bosiger explained the Planning Commission recommended approval of the Zoning petitions from the December public hearing.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to approve petition 97-330 of Central Virginia Electric Cooperative for a Conditional Use Permit to allow installation of an 85-foot pole to provide communication capabilities between sub-station and company office. Property is Tax Map No. 111A1(1)30. Property is located on Route 460 between Route 628 and Route 601. Property is zoned A-1; and petition 97-333 of Central Virginia Electric Cooperative for a Conditional Use Permit to allow an 85-foot pole to provide communication capabilities between sub-station and company office. Property is part of Tax Map No. 64(A)35. Property is located on Route 26 between Route 1029 and Route 677. Property is zoned A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several committee and Board appointments that needed to be made.

Mr. Torrence made a motion seconded by Mr. Moore to appoint Ms. Margie Reider to the Library Board, representing Appomattox River District, for term to expire June 30, 2001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile nominated Mr. Sam Davidson as representative to the Rural Transportation Board.

Being no other nominations, Mr. Bosiger declared the nominations closed.

Mr. Bosiger called for vote to appoint Mr. Sam Davidson to the Rural Transportation Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence next nominated Mr. Bosiger to serve on the Region 2000 Board of Directors.

Being no other nominations, Mr. Bosiger declared the nominations closed.

Mr. Bosiger called for a vote on his appointment to the Region 2000 Board of Directors. Vote: Mr. Bosiger, abstained; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence nominated Mr. Carter to serve on the Social Services Board.

Being no further nominations, Mr. Bosiger declared the nominations closed.

Mr. Bosiger called for vote on appointing Mr. Carter to the Social Services Board. Vote: Mr. Bosiger, aye; Mr. Carter, abstained; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter next nominated Mr. Torrence to serve on the CASA Board.

Being no other nominations, Mr. Bosiger declared the nominations closed.

Mr. Bosiger called for a vote appointing Mr. Torrence to the CASA Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, abstained.

Mr. Torrence then nominated Mr. Bosiger to serve as Director of Emergency Services.

Being no further nominations, Mr. Bosiger declared the nominations closed.

Mr. Bosiger called for a vote appointing him as Director of Emergency Services. Vote: Mr. Bosiger, abstained; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next informed the Board that several supplemental appropriations were necessary.

Mr. Carwile made a motion seconded by Mr. Moore to appropriate \$480.10 from the Law Library Fund for the month of January 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

The Board then reviewed a request from the Virginia FFA Foundation for a contribution.

After discussion, and by consensus of the Board, it was agreed to consider this request at budget time.

Mr. Bosiger then presented a request from Mr. Jay Marion for permit to collect solid waste in Appomattox County.

Mr. Moore made a motion seconded by Mr. Torrence to approve a permit for Mr. Jay Marion to collect solid waste in Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Nottoway County Board of Supervisors for a resolution of support for keeping the Piedmont Geriatric Hospital open.

Mr. Carwile made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the proposed state budget for the upcoming biennium does not include funding for Piedmont Geriatric Hospital past the end of fiscal year 1998-99; and

WHEREAS, Piedmont Geriatric Hospital has a long history of exemplary service to the citizens of the Commonwealth, many of whom have required the specialized services that Piedmont alone has and continues to be able to deliver; and,

WHEREAS, Piedmont Geriatric Hospital is a fully functioning hospital serving the needs of geriatric patients with moderate to severe mental illness by utilizing skilled medical personnel and state-of-the-art evaluation and diagnostic services and is not comparable to privately operated nursing homes; and,

WHEREAS, Piedmont Geriatric Hospital, recognized by Virginia's medical community as a leader in gero-psychiatric medicine and research, has and continues to serve the Commonwealth in the training of health care providers that enable geriatric and psychiatric institutions to better serve citizens across the state and nation; and,

WHEREAS, a recent review by the Joint Commission of Accredited Health Care Organizations, which is an independent organization, gave Piedmont Geriatric Hospital an excellent rating in excess of ninety per cent and cited no deficiencies in either patient care or building suitability; and,

WHEREAS, the Commonwealth has yet to devise a medically superior, more compassionate alternative to those citizens in need of the unique care that Piedmont provides.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia, that the Board of Supervisors of Appomattox County, Virginia, do hereby certify that the members of the Virginia State Senate and the members of the Virginia House of Delegates to return adequate funding through, and beyond the above mentioned budget period for continued operation of Piedmont Geriatric Hospital so that the special needs of the Commonwealth's elderly citizens with mental illness may be guaranteed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next reminded the Board that Legislative Day was scheduled for February 5, 1998.

Mr. Torrence made a motion seconded by Mr. Moore to pay for any Board member who wished to attend Legislative Day. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Bosiger stated an executive session was necessary to discuss a legal and personnel matter.

Mr. Torrence made a motion at 9:55 P.M. seconded by Mr. Carter to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 10:55 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County, Virginia, that it respectfully request the Governor, the members of the Virginia State Senate and the members of the Virginia House of Delegates to return adequate funding through and beyond the above mentioned budget period for continued operation of Piedmont Geriatric Hospital so that the special needs of the Commonwealth's elderly citizens with mental illness may be guaranteed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next reminded the Board that Legislative Day was scheduled for February 5, 1998.

Mr. Torrence made a motion seconded by Mr. Moore to pay for any Board member who wished to attend Legislative Day. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Bosiger stated an executive session was necessary to discuss a legal and personnel matter.

Mr. Torrence made a motion at 9:55 P.M. seconded by Mr. Carter to enter into executive session to discuss a legal and personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 10:55 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore, the following resolution was adopted:

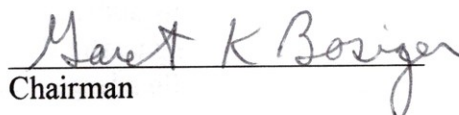
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Carter to adjourn until after the public hearing on January 20, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A joint public hearing of Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on January 20, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: (Board of Supervisors)

Garet K. Bosiger – Chairman – Falling River District

Samuel E. Carter – Courthouse District

Russell H. Moore – Piney Mountain District

Dennis W. Torrence – Appomattox River District

Absent: Frank H. Carwile – Wreck Island District

Present: (Planning Commission)

Al Sears – Chairman

Robert Johnson

Wayne Lewis

Marvin Mitchell

Russell Moore

Kevin O'Brien

James Seftor

Absent: Elizabeth Edwards

Claude Allen Moore

Calvin Tanner

Also Present: W.M. Caldwell, Clerk – Planning Commission

Andy Carroll – Assistant County Administrator

Mr. Bosiger called the public hearing to order and explained the purpose of the hearing was to receive public comment on the petition and stated the procedure for addressing comments.

Mr. Bosiger then asked Mr. Caldwell, Clerk of the Planning Commission to read the petition.

Mr. Caldwell read Petition 97-335 – Harry & Curtis Pearson – Rezone property from A-1 to R-1. Property is Tax Map No. 75-A-30. Property is located Route 1049 (Acorn Street/Walton Place) between Route 1047 and Dead end.

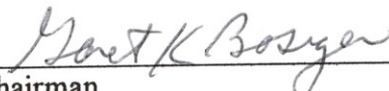
Mr. Bosiger asked if there was anyone to speak for the Petition. Hearing none, Mr. Bosiger asked for comments from those opposed to the petition.

Mr. Silas Tharp came forward and gave his address as Acorn Street, Walton Place. Mr. Tharp expressed concern with the resulting traffic flow from a subdivision. Mr. Tharp felt that the current would not be able to handle a large number of additional houses.

Mr. Bosiger called for other comments.

Mr. Cecil May came forward and gave his address as Walton Place. Mr. May stated that when Walton Place had been built the road had been developed to provide privacy to the owners within the development. Mr. May further stated that the road was narrow and would not accommodate additional traffic flow generated by the proposed development. Mr. May was also concerned that property values would be lowered. He requested that the proposal be denied because the streets were not able to handle the development.

Mr. Bosiger called for other comments. Being no further comments. Mr. Bosiger declared the public hearing closed.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on January 20, 1998 at 7:50 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Garet K. Bosiger - Chairman – Falling River District
Samuel E. Carter – Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent: Frank H. Carwile – Wreck Island District

Also Present: Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order and invited Mr. Paul Lee with the county auditing firm, Robinson, Farmer, Cox Associates to speak with the Board. Mr. Lee stated that no problems were discovered and the County was in fine standing.

Mr. Bosiger asked Mr. Lee to further explain the letter of Financial Assurance regarding the landfill. Mr. Lee explained that this was the county's best option for complying with regulations to make sure that the County would be able to afford closure costs at the landfill.

Mr. Torrence made a motion seconded by Mr. Moore that the Board allow Ms. Ferguson, County Administrator, to sign the letter of Financial Assurance for the County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

At 8:05 P.M., Mr. Bosiger thanked Mr. Lee for appearing before the Board.

Mr. Bosiger then asked the Board if a February 6, 1998 trip to Accomack County would suit to see the baling operation of the sanitary landfill there. Most members agreed that this day would be agreeable.

Mr. Carroll then informed the Board that they could not amend the original conditional Use Permit request by Central Virginia Electric Cooperative, they must go through the process again to construct the taller structure.

Mr. Bosiger then asked Mr. Carroll to bring to the Board information regarding a state transportation grant. Mr. Carroll explained that the county could apply for a feasibility study grant from Virginia Department of Rail and Public Transportation. After some discussion, the Board decided not to pursue the grant at this time.

Mr. Bosiger then presented supplemental appropriation request.

7301 - 5416	\$428.39
3501 - 5404	5.00
3301 - 5407	30.00

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the Board about the request for funding from the Sons of Confederate Veterans. After some discussion, Mr. Torrence made a motion, seconded by Mr. Carter that the County donate \$2000.00 to the Sons of Confederate Veterans to assist with the expense of insuring the reenactment. If the insurance expense is less than \$2000.00 the amount left over may be used for the other expenses associated with the reenactment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that each member had received a copy of the 460 East Water Study. The formal presentation of the Study would be held on Wednesday February 25, 1998, 5:30 P.M. at BWXT Governmental Groups Headquarters. Mr. Bosiger asked if this date and time was agreeable to everyone. Everyone stated they could attend.

Mr. Bosiger then brought to the Board's attention that several rabies clinics were scheduled for the county. Mr. Bosiger also stated that according to Virginia Code, the Board would need to declare that a need for such clinics existed within the county.

Mr. Carter made a motion seconded by Mr. Torrence that there was a need within the county for rabies clinics. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carroll then explained that Dr. Burger, who is holding (2) two of the clinics, had requested that the Board help with the advertising cost of the clinics. Mr. Bosiger explained that County Line Hunt Club was also holding a rabies clinic.

Mr. Carter made a motion seconded by Mr. Torrence that the Board pay for the advertising for Dr. Burger's clinic which had already been placed in the Times Virginian. Discussion followed. After the discussion Mr. Carter withdrew his motion.

Mr. Torrence then made a motion, seconded by Mr. Moore that the Board advertise the various rabies clinics held within the county with regards to location, date, and time but make no mention as to the attending veterinarian. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained to the Board that a date should be set for the annual joint meeting with the Town Council. The Board agreed on Saturday, February 28, 1998, 8:00 A.M. at the Community Center and directed Mr. Carroll to determine if this suited the Town Council.

Mr. Bosiger asked by supervisor concerns at this time.

Mr. Torrence brought to the Board his request that the Board consider paying \$300.00-\$1,000.00 to survey the property line for Mr. Davis in "Frog Bottom". After discussion no action was taken.

Mr. Carter then mentioned that there was no speed limit sign on Route 131 as you come off the by-pass and head toward town. Mr. Carter also explained he had received several calls from citizens concerning the speed limit on Route 727 in front of the high school. Mr. Carter was asked to bring these matters to VDOT resident engineer Sandra Lindsey so she might address them at the Boards next meeting.

Mr. Bosiger then explained that an executive session was necessary to discuss a legal matter. Mr. Torrence made a motion at 9:04 P.M., seconded by Mr. Moore to enter into an executive session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:25 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

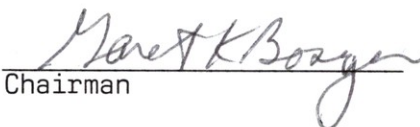
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the executive session. Hearing none, and there being no further business, Mr. Moore made a motion seconded by Mr. Torrence to recess at 9:30 P.M. until February 2, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 2, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia

Present: Gareth K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called for approval of the minutes.

Mr. Carter stated that on page "B" of the draft minutes part of the motion on meeting times, dates, etc. was missing. Mr. Carter continued that the motion should say... Also, no new business would be started after 9:30 P.M. but would be continued until the next meeting.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the organization meeting of January 5, 1998 as corrected; the public hearing of January 20, 1998; and a recessed meeting of January 20, 1998. Vote: Mr. Bosiger, aye Mr. Carter, aye; Mr. Carwile, aye, Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Don Austin, VDOT, Assistant Resident Engineer, to appear before the Board.

Mr. Austin reported on the signage change on Route 727 at the High School and explained the reason for the change.

Mr. Bosiger then asked Mr. Austin what had been done on the request from the Appomattox Courthouse National Historical Park for a speed limit reduction on Route 24 near the park.

Mr. Austin stated he was unaware of the request but was sure it would have been forwarded to traffic engineering.

Mr. Torrence then asked Mr. Austin for the number of private roads that had been taken into the system that were eligible for 100% funding, other than "Frog Bottom".

Mr. Austin replied he could only think of one other in the last few years.

Mr. Torrence then asked how many private roads were there in the County that would qualify for 100% State funding.

Mr. Austin stated he was not aware of any other requests but he could not say how many private roads there were in the County that would qualify.

Mr. Carwile asked if the funding would be lost if it were not spent within a certain time frame.

Mr. Austin stated the funding was not in jeopardy.

Being nothing further for Mr. Austin he was thanked and excused.

Mr. Bosiger next called the members of the Library Board to appear before the Board.

Mr. Bosiger welcomed Mrs. Margie Reider and Mr. Berkley Cabiness and thanked them for coming to meet with the Board. Mr. Bosiger continued that the Library Board had a grave responsibility and the Board of Supervisors felt that since there were new members on the Library Board it might be necessary to provide training as to their duties. Mr. Bosiger stated that the Virginia State Library would come to Appomattox and provide training for the Library Board if they would set a date.

After further discussion, Mrs. Reider and Mr. Cabiness by consensus, stated any Thursday or Friday would be good for them for training.

Being nothing further for Mr. Cabiness and Mrs. Reider, Mr. Bosiger thanked and excused them.

Mr. Bosiger next asked Mr. Reed Johnson, Superintendent, Appomattox Courthouse National Historical Park, to appear before the Board.

Mr. Johnson came forward and thanked the Board for their time. Mr. Johnson continued that his purpose for requesting an audience with the Board was to clarify the Parks position on the proposed re-enactment scheduled for the year 2000, at the Park. Mr. Johnson explained the reason for the charges that were given to Mr. Alan Farley and provided other information concerning the Park Services position on re-enactments.

After discussion, Mr. Bosiger thanked and excused Mr. Johnson.

Mr. Bosiger next asked Mr. Donald R. Martin, Chief, Appomattox Volunteer Fire Department, Mr. Bennie Harvey and Mr. Buddy Green to appear before the Board.

Mr. Martin began by explaining to the Board that their reason for coming before the Board was to request approval to order the new fire truck.

Discussion followed with financing information being provided and reviewed.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to purchase a new fire truck at a cost of \$225,000.00 – pay \$50,000.00 down with a portion of the down payment coming from the sale of the old fire truck; for a term of five (5) years, understanding that the Town has committed to $\frac{1}{4}$ funding for the new truck. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused the members of the Appomattox Volunteer Fire Department and called on the members of the Appomattox County School Board to appear before the Board.

Mr. Bosiger began by welcoming the School Board members and stating the reason for meeting with them was to review the Middle School Project.

Mr. Selz began by reporting on the status of the Middle School Project. Mr. Selz explained the addition was complete and the renovation of the old building had begun. Mr. Selz continued that some of the structural problems they had feared would be encountered had turned out okay. Mr. Selz then explained that various items had been deleted from the original contract in order to provide a small contingency fund but as of this meeting those funds had been depleted with the exception of approximately \$1500.00 dollars. Mr. Selz requested guidance from the Board as to how to proceed as other emergency situations occurred during the remainder of the construction.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Moore to authorize a \$25,000.00 contingency fund for the Middle School Project, to be spent as emergencies arise during the course of the project, understanding that if larger emergencies arise a special meeting can be held within a 2 day time frame. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Dr. Krug then informed the Board of Supervisors that $\frac{1}{4}$ of the roof at the High School needed to be replaced immediately. Dr. Krug explained that the $\frac{1}{4}$ of the roof that was covering the classroom was the part that was leaking.

After discussion and by consensus of the Board it was agreed that Dr. Krug would obtain bids for the $\frac{1}{4}$ of the roof that needs immediate attention at the High School and submit to the Board for review.

A lengthy discussion followed concerning other issues involving the schools.

After discussion and being nothing further for the School Board Mr. Bosiger thanked and excused the School Board members.

Mr. Bosiger then explained that Mr. Brad Swanson, Virginia Gas Company was unable to attend the meeting and that Mrs. Ferguson would explain Mr. Swanson's request.

Mrs. Ferguson presented a map provided by Virginia Gas Company showing a proposed compressor station and pipeline route crossing the county. Mrs. Ferguson then explained that Mr. Swanson had requested a resolution of support for this proposed pipeline.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution supporting the proposed pipeline, contingent upon "taps" being provided in Appomattox County for industrial development.

WHEREAS, natural gas is a necessary natural resource to communities in Central Virginia and is prominent in meeting our regions energy needs; and

WHEREAS, the Appomattox County Board of Supervisors has been informed that Virginia Gas Pipeline Company proposes to construct, own and operate a natural gas pipeline to provide service to United Cities Gas Company from the new pipeline for

United Cities Gas Company's customers in Wytheville, Marion, Pulaski, Dublin and Radford; and

WHEREAS, Appomattox County engages in an ongoing process of developing industrial sites, recruiting new industry and working with existing industry as a way to increase its economic base; and

WHEREAS, the Appomattox County Board of Supervisors recognize that the availability of reliable, long-term natural gas supply enhances the expansion of economic development in the Central Virginia area; and

WHEREAS, the Appomattox County Board of Supervisors understands that the Virginia Gas Pipeline Company will provide Appomattox County with a "tap(s)" for industrial uses and other purposes.

NOW THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors, meeting in regular session on this 2nd day of February, 1998, would like to go on record as being in support of the proposed Application for Certification of this natural gas pipeline by Virginia Gas Pipeline Company and does hereby request that the Virginia State Corporation Commission approve the application by Virginia Gas Pipeline Company to construct, own and operate the natural gas pipeline. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called for Supervisor concerns.

Mr. Bosiger explained that a request had been received from Charlotte County that Route 638 be named Wheeler Springs Road due to Charlotte County's 911.

After discussion, and by consensus of the Board, it was agreed to table this matter until a later date.

Mr. Bosiger next reminded the other members of several upcoming activities. Mr. Bosiger then explained that due to information received since the January 20, 1998 meeting we were advised NOT to participate in advertising rabies clinics.

Mr. Bosiger next brought up for discussion the matter of rules of order for the Board meetings.

Mr. Torrence provided another booklet on parliamentary procedure for the Boards consideration.

Mr. Bosiger then explained that a replacement was needed on the Courthouse Committee, for Mr. Paulette.

After discussion, Mr. Torrence nominated Mr. Carwile to serve on the Courthouse Committee. Mr. Carter seconded the nomination.

Mr. Bosiger called for other nominations, Hearing none Mr. Bosiger declared the nominations closed.

Mr. Bosiger then called for a vote on Mr. Carwiles appointment to the Courthouse Committee. Vote: Mr. Bosiger, aye Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye;

Mr. Torrence began by stating that he needed a decision on the right-of-way for "Frog Bottom" road.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to proceed with obtaining right-of-way deeds for donated right-of-way and authorize the State to proceed with construction of Frog Bottom road. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile presented the other members of the Board with a handout from the Community Center Board of Directors with several requests for the Board to consider.

Mr. Carwile explained that he would bring these items back to the Board at a later date after the members had an opportunity to review the Community Center Boards' requests.

Mr. Bosiger called for other supervisor concerns.

Hearing none, Mr. Bosiger explained there were two zoning petitions that required action.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition 97-332 of Central Virginia Electric Coop. for a conditional use permit to allow the installation of an 85 foot pole to provide communication capabilities between sub-station and company office. Property is Tax Map No. 12(A) Parcel 45. Property is located on Route 654 between Route 615 and Route 60. Property is zoned A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to approve petition 97-335 on Harry & Curtis Pearson to rezone property from A-1 to R-1. Property is Tax Map No. 75-A-30. Property is located on Route 1049 (Acorn Street/Walton Place) between Route 1047 (Walton Drive) and Dead end. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Terri Conrad's term on the Central Virginia Community Services Board had expired and that Mrs. Conrad was agreeable to serve another term.

Mr. Moore made a motion seconded by Mr. Torrence to reappoint Terri Conrad to another term on the Central Virginia Community Services Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then stated that an appointment was still needed for the Rural Transportation Committee to replace Mr. Sam Davidson. Mr. Carter continued that he would like to nominate Mr. George Watson to fill this appointment. Mr. Carwile seconded the nomination.

Mr. Bosiger called for other nominations.

Mr. Carwile made a motion seconded by Mr. Torrence that the nominations be closed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for a vote on appointing Mr. George Watson to serve on the Rural Transportation Committee. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any other business.

Being none Mr. Bosiger explained that an executive session was necessary to discuss a legal matter.

Mr. Moore made a motion at 9:52 P.M. seconded by Mr. Torrence to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 10:48 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

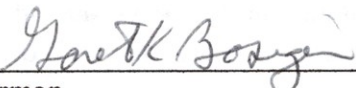
Mr. Bosiger asked if there was action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Carter to halt all incoming tires scheduled for Emanuel Tire of Virginia located in the confines of the Appomattox County Landfill effective 12 noon on Tuesday, February 3, 1998, until all tires on Emanuel Tire of Virginia site are removed, as directed by D.E.Q. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter that Appomattox County claims no interest in the 30' strip adjacent to the property of A.E. Robertson (Sportsman Inn) and property owned by Michael Scott. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was any other business to come before the Board at this time.

Mr. Moore made a motion seconded by Mr. Carter to adjourn at 10:50 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A special meeting of the Appomattox County Board of Supervisors was held on February 11, 1998 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 Tina Carter – Landfill Supervisor

Mr. Bosiger called the meeting to order at 6:30 P.M. and stated the reason for the special meeting was to discuss Emanuel Tire's Operation at the landfill.

Mr. Bosiger then suggested an executive session was in order to discuss a legal matter.

Mr. Torrence made a motion at 6:36 P.M. seconded by Mr. Moore to enter into executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 7:21 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carwile seconded by Mr. Torrence, the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

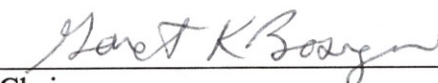
WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked for any action from the executive session.

Mr. Carwile made a motion seconded by Mr. Torrence to allow Emanuel Tire of Virginia to bring in a total of fifteen trailers on Thursday and Friday (February 12 and 13) and fifteen trailers the following week. As long as they were in compliance by February 20, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Moore to adjourn at 7:38 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on February 17, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: (Board of Supervisors)

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent: (Board of Supervisors)

Dennis W. Torrence – Appomattox River District

Present: (Planning Commission)

Wayne Lewis
Russell Moore
Calvin Tanner

Absent: (Planning Commission)

Elizabeth Edwards
Robert Johnson
Marvin Mitchell
Claude Allen Moore
Kevin O'Brien
Al Sears
James Sefter

Also Present: Mr. Caldwell – Clerk – Planning Commission
Tommy Lawson – Commonwealth Attorney

Mr. Bosiger called the public hearing to order at 7:00 P.M. and stated the purpose of the hearing was to receive public comment on a zoning petition.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission, to read the only petition for comment.

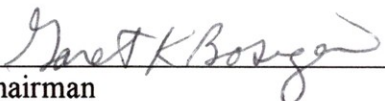
Mr. Caldwell read petition 98-3346 of O. Wilson Staples for a conditional use permit to allow additional mobile home on 1.8 acre lot with existing mobile home an dwelling zoned V-1. Property is Tax Map Parcel #90-A-69 and is located at Dead End of Route 676.

Mr. Bosiger called for comments.

Mr. Staples came forward and gave his address as P.O. Box 55, Evergreen, Virginia. He stated that he was making this request in order to add an additional dwelling on his 1.81 acre parcel. Mr. Staples asked that the Board honor his request.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger declared the public hearing closed at 7:07 P.M.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 17, 1998 at 7:20 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Gareth K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent: Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator (late)
Tina Carter – Landfill Supervisor (late)
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:20 P.M. and asked Mr. Earl Dickerson, Hurt & Proffitt, Inc., to appear before the Board.

Mr. Dickerson began by stating that he had been asked to appear before the Board to review details of the trip to Accomack with the Board.

A lengthy report followed.

After discussion, and by consensus of the Board, Mr. Dickerson was instructed to proceed with gathering information on the baling system similar to Accomack, and report to the Board at a later date.

Mr. Bosiger thanked and excused Mr. Dickerson.

Mr. Bosiger then turned the Board's attention to the Administrative Items.

Mr. Bosiger stated the first item was the value for assessment of vehicles needed to be set.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter for vehicles to be assessed at 100% of their value, not to go below the present values. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next made a motion seconded by Mr. Carter to appropriate the following:

\$ 755.20 to 1101-5803
 3000.00 to 1212-3005
 5000.00 to 1213-5401
 194.64 to 3102-1002
 85.00 to 3301-5407
 20.00 to 3501-5404
 2397.11 to 4204-3002
 1093.00 to 4203-3010
 329.74 to Law Library for February 1998

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Discussion followed on a request from Central Piedmont Economic Association, Inc. For annual funding for a battered spouse's shelter to be located in Amherst County.

After discussion, no action was taken.

Mr. Bosiger next informed the other members of the Board that he felt the amount requested on the Livestock damage claim form for a newborn calf was excessive.

After further discussion, Mrs. Ferguson was instructed to research this value and return to the Board at the next meeting.

Mr. Bosiger then asked Mr. Carwile to explain the request received from the Community Center's Board of Directors.

Mr. Carwile mentioned item number one, which was a request for a representative from the Pamplin area to serve on the Community Center Board.

Ms. Ferguson explained she had written Pamplin Town Council with this request.

Mr. Carwile next explained that the Community Center Board was concerned with the fee charged by the schools when their facilities were used by community groups.

After discussion, Mrs. Ferguson was directed to ask for a copy of the schools usage policy.

Mr. Carwile then reported that the Community Center Board felt that the Board of Supervisors should look into the possibility of satellite recreational facilities in different areas of the County.

After discussion and by consensus of the Board it was agreed that due to safety and liability issues satellite recreational facilities were not ideal for Appomattox County, at this time.

Mr. Bosiger then presented a request from Mr. Mark Drinkard for a special exception to the Subdivision Ordinance to allow him to purchase a five (5) acre parcel of property from his aunt with no road frontage.

After discussion, Mr. Moore made a motion seconded by Mr. Carter to allow a Special Exception to the Subdivision Ordinance for Mr. Mark Drinkard to purchase five acres from his aunt without the required road frontage, as long as he obtained at least a 25 foot recorded right of way to Route 608. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

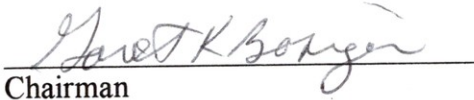
Mr. Bosiger next informed the Board the Planning Commission had recommended approving Mr. O. Wilson Staple's request for a conditional use permit.

Mr. Moore made a motion seconded by Mr. Carwile to approve petition 98-336 of O. Wilson Staples for a conditional use permit to allow additional mobile home on 1.8 acre lot with existing mobile home and dwelling, zoned V-1. Property is Tax Map Parcel #90-A-69 and is located at Dead End of Route 676. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then presented information from VRS on Harry Lawson's and William Kerr's retirement buyback.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to appropriate and pay the County's share of the VRS buyback for Judge's Lawson and Kerr. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Carter to recess until February 28, 1998 at 8:00 A.M. at the Community Center. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.


Chairman

A joint work session and recessed meeting of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on February 28, 1998 at 8:00 A.M. at the Community Center, Route 460 East, Appomattox, Virginia.

Present: (Board of Supervisors):
Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District

Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Present: (Town Council):
 Ronald Spiggle, Mayor
 R. L. Bass, Vice Mayor
 Marvin Mitchell
 Rick Pack
 Jimmy Mayberry
 Joyce Bennett
 Steve Lawson

Also Present:

Aileen T. Ferguson, County Administrator
 Thomas W. Lawson, County Attorney
 Andy Carroll, Assistant County Administrator
 Bobbie H. Mullins, Clerk, Town of Appomattox
 David Garrett, Superintendent of Public Works, Town of Appomattox

Mr. Bosiger called the work session to order, and welcomed everyone.

Mr. Bosiger next explained that the first item would be a presentation from the I.D.A. about a proposed industrial site. Item two would be a joint session for the Town and County to discuss the I.D.A. agreement; and the third item will be discussion of the proposal presented by the I.D.A. Mr. Bosiger continued that parts of the work session would be held in executive session.

Mr. Bosiger then explained that an executive session was necessary to discuss land acquisition.

Mr. Torrence made a motion seconded by Mr. Carter, to enter into executive session to discuss land acquisition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called the meeting back to order.

Discussion followed concerning the Town's proposed sewer project.

Next, attention was turned to the 460 Water study. Mr. Bosiger continued that he felt that representatives should be appointed from each locality to attend meetings concerning this proposal and bring information back to each governing body.

Discussion followed concerning the proposed 460 water line project.

Mr. Bosiger asked if there were any other topics for discussion prior to adjourning the work session.

Hearing none, Mr. Bosiger declared the meeting closed at 11:30 A.M.


Chairman

A public hearing of the Appomattox County Board of Supervisors was held on March 30, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

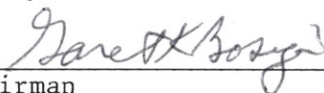
Also Present:

Aileen T. Ferguson - County Administrator
 Andy Carroll, Assistant County Administrator

Mr. Bosiger called the public hearing to order, stated the purpose of the hearing was to receive public comment on a lease purchase agreement in order to finance a 1998 Pierce/Freightliner Pumper for the Appomattox Fire Department. Mr. Bosiger continued that to finance the costs of such equipment and to pay costs and expenses incidental to the financing, the Fire Department proposed to enter into a lease-purchase agreement in the maximum aggregate principal amount of \$175,488.00. Mr. Bosiger stated the Fire Department would be required to pay all expenses of operating, maintaining and insuring the equipment and to pay all taxes on the equipment. The rental payments due pursuant to the lease-purchase agreement will be secured by a security interest in the equipment.

Mr. Bosiger then called for comments on the proposal.

Hearing none, Mr. Bosiger declared the public hearing closed at 7:02 P.M.


 Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 30, 1998 at 7:05 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger - Chairman - Falling River District
 Samuel E. Carter - Appomattox Courthouse District
 Russell H. Moore - Piney Mountain District
 Dennis W. Torrence - Appomattox River District

Absent:

Frank H. Carwile - Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
 Andy Carroll, Assistant County Administrator

Mr. Bosiger called the recessed meeting to order at 7:05 P.M.

Mr. Bosiger explained that Mrs. Belter, Treasurer, had called and informed Mrs. Ferguson that the tax rate needs to be set in order to get tax tickets out on time.

A general discussion followed on the need to set the tax rate.

Mr. Bosiger stated that the members of the School Board and School Officials had arrived for their appointment with the Board of Supervisors, and asked if the tax rate discussion could be tabled until after the meeting with the School Board.

By consensus of the Board, it was agreed to table the tax rate discussion until after the appointment with the School Board.

Mr. Bosiger next welcomed the members of the School Board, school administration, and Blair Smith, representative with Fauber Architects.

Mr. Bosiger then asked Mr. Blair Smith to provide additional information on the high school roof repairs that had been proposed.

Mr. Smith reported in great detail the options that had been reviewed to take care of the leaks in the high school roof and the reason for the option that had been proposed by his firm.

Mr. Smith next answered questions of the members of the Board of Supervisors.

Mr. Perrow next explained that the roof at the high school was not the only roof that needed attention and that the other projects would have to be addressed in the near future.

After further discussion, and by consensus of the Board of Supervisors, it was agreed that a decision would be made on the repairs to the high school roof and the School Board would be notified.

Mr. Bosiger thanked and excused School Board members and School Officials.

Mr. Bosiger next returned the attention of the other members of the Board to the tax rate issue.

After a lengthy discussion on FY99 budget requests and revenue projections, Mr. Torrence made a motion seconded by Mr. Carter to advertise a public hearing for 7:00 P. M. on April 9, 1998 for a proposed tax levy increase from \$0.52 per hundred on real estate to \$0.55 per hundred on real estate. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

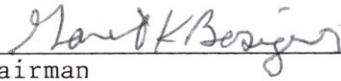
Mr. Bosiger then presented a request from Emanuel Tire of Virginia that they be allowed to work 7:00 A.M. to 7:00 P.M. March 23 through March 28, 1998.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to hold Emanuel Tire of Virginia to the same hours of operation as the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the other members of the Board if they wished to set dates for budget work sessions and the public hearing on the budget.

After discussion, April 7 & 9 were set as dates to work on the budget with May 4, 1998 at 6:30 P.M. set for the public hearing on the budget.

Being no further business, Mr. Torrence made a motion seconded by Mr. Carter to adjourn until 7:00 P.M. on April 6, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 2, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and asked Mr. Carter to give the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Moore to approve the minutes of the regular meeting of February 2, 1998 and February 17, 1998, a special meeting of February 11, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by explaining that a request had been made for a traffic study on Route 24 in the vicinity of the national park. Ms. Lindsay, continued that the best time to do this study would be during the tourist season, therefore, they would do the study in late spring on early summer.

Ms. Lindsay then told Mr. Carter she had not checked on the sign he had asked about but assured him she would look into it as soon as possible.

Ms. Lindsay answered questions of several Supervisors.

Being nothing further for Ms. Lindsay, she was thanked and excused.

Mr. Bosiger next called Mr. Steve Lambson to appear before the Board.

Mr. Lambson came forward and explained his reason for requesting to meet with the Board with concerns he had with soccer program needs. Mr. Lambson then presented handouts to each of the Board members.

Mr. Lambson presented his list of needs for the soccer program which included fields, equipment, and training for coaches.

Mr. Carter next asked Mr. Lambson if he was familiar with the area to the right of the present playing field at the Town Ballpark, and if he would be willing to take a look at this area to see if fields could be placed in this area for soccer.

Mr. Torrence asked Mrs. Ferguson if she would contact Margaret and Reed Shields to see if the County could use the field they own adjacent to the ballpark property.

Mr. Bosiger thanked and excused Mr. Lambson and called on Mr. Alan Farley and Mr. Wayne Phelps to appear before the Board.

Mr. Farley began by giving the Board an update on the re-enactment budget and progress.

Mr. Farley next presented the Board with a Certificate of Appreciation for the part they played to make the re-enactment possible.

Mr. Wayne Phelps next told the Board that the present statue in the Courthouse Square was in need of repair. He continued that he would like to investigate what it would cost to replace the present statue and put the existing statue in the Library.

After discussion, and by consensus of the Board, it was agreed that Mr. Phelps could proceed with getting prices for his proposal and bring these figures back to the Board for final review.

Mr. Bosiger thanked and excused Mr. Farley and Mr. Phelps.

Mr. Bosiger next called for Supervisor Concerns.

Mr. Bosiger explained that the Board would meet with the School Board on March 2, 1997 at 7:00 P.M. and he stated the Board had agreed to review the I.D.A. recommendations at that time and be prepared to make a decision.

Mr. Bosiger next presented a request from Emanuel Tire for extended hours of operation for the next two weeks.

Mr. Moore made a motion seconded by Mr. Carter to allow Emanuel Tire to work extended hours for the next two weeks. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained to the members of the Board that Dick Bass had resigned from the Courthouse Committee and suggested appointing Philip Paulette as his replacement.

Mr. Bosiger made a motion seconded by Mr. Moore to appoint Philip E. "Gus" Paulette to the Courthouse Committee, replacing R.L. Dick Bass. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an appointment was necessary in order to proceed with discussions with other localities on the 460 Water Project, and he would like to suggest Sammy Carter.

After discussion, and by consensus of the Board it was agreed for Sammy Carter to represent the County in the 460 water project discussions.

Mr. Carwile stated several farmers had contacted him concerning the application of sludge and biosolids to agricultural lands. He informed the Board that a group may be approaching the Board for approval to use sludge or biosolids on farm land at a later date.

Mr. Carter gave a report from the Social Services Board and explained that 10 cases had been audited and everything checked out fine. Mr. Carter also reported that Mrs. Cecil Harvey has just passed her 30-year service mark with Social Services.

Mr. Carter asked about the condition of the Courthouse roof.

Mr. Bosiger informed him this would be considered at budget time.

Mr. Bosiger next explained that Mrs. Debbie Powell's term on the Central Virginia Community College Board expires June 30, 1998 and that she did wish to be reappointed. Mr. Bosiger asked if anyone had a name to submit for this appointment.

Mr. Carter stated he would like to submit Tommy Ford's name for appointment.

Mr. Bosiger asked if anyone else had a name to submit.

Mr. Torrence stated he would like to submit Pat Torrence's name for appointment.

Mr. Bosiger stated the decision on this appointment would be made at the March 16, 1998 meeting.

Mr. Bosiger next stated there were several supplemental appropriations that were necessary.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate the following:

\$182,724.93 to 6101 – 1001

\$3,625.29 to 4204 – 3002

\$800.00 to 2109 – 3009

\$650.00 to 2130 - 5203

\$90.30 to 1101- 5803

\$75.00 to 3501- 5404

\$772.72 from Law Library

\$3730.00 from Asset Forfeiture

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Commonwealth Attorney that his expenses be paid to attend the 1998 Spring Institute.

Mr. Torrence made a motion seconded by Mr. Moore to approve for the Commonwealth Attorney to attend the 1998 Spring Institute and pay his expenses. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Loudoun County, for a resolution of support, for state reimbursement to localities for school construction and renovation funding at 50% reimbursement rate.

Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, education is a necessary and required function of local government for the children of its citizens; and

WHEREAS, local governments are currently totally responsible for the construction of new schools, or their renovation; and

WHEREAS, approximately eighty percent of Appomattox County's total budget is already allocated for school funding; and

WHEREAS, the added cost of new school construction and/or renovation would place an extreme financial burden upon the citizens of Appomattox County.

NOW THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors, meeting in regular session on this 2nd day of March, 1998, request that the Commonwealth reimburse any city or county for one-half of the capital costs of a school construction, enlargement or renovation project. The Commonwealth should work with local governments to adopt facility standards for various size schools. The Commonwealth should not include under reimbursable expenditures land acquisition, site development costs, and furnishings and fixtures costs. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any other business.

Being none, Mr. Bosiger explained that an executive session was necessary to discuss legal matters.

Mr. Torrence made a motion at 8:45 P.M. seconded by Mr. Moore to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session at 9:35 P.M. Vote: Mr. Bosiger, aye. Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye, Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

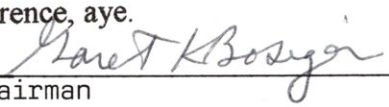
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for any action from the executive session.

Hearing none, Mr. Torrence made a motion seconded by Mr. Carwile to recess until March 9, 1997 at 7:00 P.M. Vote; Mr. Bosiger, aye, Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 9, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Garet K. Bosiger- Chairman – Falling River District
 Samuel E. Carter – Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present: Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator

Mr. Bosiger reconvened the meeting and welcomed the members of the School Board and the Superintendent of Schools. Mr. Bosiger then asked Mr. Selz, Chairman of the School Board if he wished to report on behalf of the School Board.

Mr. Selz began by explaining the School Board was not prepared at this time to present a budget but would like to explain some areas that would increase in the budget.

Mr. Selz then presented the Board of Supervisors with a handout which included information on the Standards of Accreditation and the Schools budget goals. (Handout on file in the Board file for March 1998.)

Mr. Selz then went through the handout explaining in detail the various needs that were included.

After Mr. Selz' explanation, Supervisors asked questions concerning the information that had been presented.

After a lengthy discussion, Mr. Bosiger thanked and excused the School Board.

Mr. Bosiger then called on Mrs. Tina Carter to appear before the Board.

Mr. Bosiger began by explaining to the other members of the Board that a letter had been received from Hurt and Proffitt addressing methane gas migration and groundwater monitoring at the landfill.

Mr. Bosiger asked Mrs. Ferguson if she would explain in greater detail the methane gas migration problem.

Mrs. Ferguson explained that methane levels on one of the gas monitoring wells had exceeded the limits and that measures were going to have to be taken to correct this problem. Mrs. Ferguson continued that Hurt and Proffitt had determined that a gas plume approximately 275 feet in width was moving towards the property line. Mrs. Ferguson continued that Hurt and Proffitt proposed installing 12" gas vents to bedrock or

groundwater, 20 feet apart, filled with tire chips in order to vent the methane gas prior to it reaching our property lines.

A lengthy discussion followed.

After discussion, Mrs. Ferguson was instructed to look into the possibility of installing a trench to vent this methane gas instead of using the proposed venting wells, and report back at the next meeting.

Mr. Bosiger then read the part of the letter from Hurt and Proffitt concerning groundwater monitoring.

Mrs. Carter gave an explanation of the reason for moving well #6. Mrs. Carter continued that three new wells need to be installed to the north of closed cells A, B and C and the fourth new well would be located upgradient of the landfill.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to install two groundwater monitoring wells north of closed cells A, B and C and one upgradient groundwater monitoring well, and write a letter to DEQ stating these wells are beginning installed, in order to move from assessment monitoring into detection monitoring. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any other landfill issues for discussion.

Mr. Carroll stated that he would like a clarification on Parts "A" & "B" permit applications. Mr. Carroll explained that his understanding was that Hurt & Proffitt was to permit as large a cell as possible on the present landfill site, but Hurt & Proffitt's understanding was they were to go across the road and permit everything possible on that property also.

After discussion, It was confirmed by the Board of Supervisors, to permit only cells on the present landfill operating site.

Mr. Carroll stated he would clarify the Boards position with Hurt & Proffitt.

Mr. Bosiger thanked and excused Mrs. Carter.

Mr. Bosiger next read a letter to Mrs. Ferguson from Dr. Krug, Superintendent of Public Schools with prices for repairing a portion of the High School roof that is leaking. Mr. Bosiger continued that the total cost would be approximately \$264,582.00.

Discussion followed, Mrs. Ferguson was instructed to obtain further information from the schools on the high school roof project.

Mr. Bosiger then explained that at a previous meeting the Board of Supervisors had agreed to pay Virginia Retirement System, the employers cost, on Judge Lawson and

Judge Kerr's retirement buyback. Mr. Bosiger continued that the information provided at that time by VRS was inaccurate and that the cost to the County for Judge Kerr's retirement was triple what was approved previously.

A lengthy discussion followed, with the consensus of the Board being that they did not feel this was the County's responsibility.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, Appomattox County has employed persons in various jobs both full time and part time from time to time, and

WHEREAS, employees of the County received all benefits allotted and allocated to them at the time of their employment with the County.

WHEREAS, the Virginia Retirement System has determined that previous employees may have been eligible for retirement benefits at the time of their employment, and

WHEREAS, Appomattox County made a good faith to provide for its employees all benefits as represented at the time of their employment, and

WHEREAS, the State Compensation Board refuses to make a contribution for retirement benefits that the Virginia Retirement System claims that previous employees are eligible to receive.

NOW THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors at its recessed meeting on March 9, 1998, voted unanimously to deny any future claims for retirement benefits from former county employees, constitutional officers, and their staff. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Bosiger asked if anyone had anything else for discussion.

Mr. Carwile began that he had been in contact with USA Waste of Virginia and they would like to meet with the Board to discuss the possibility of a transfer site in Appomattox County. Mr. Carwile asked the other members of the Board to allow USA Waste of Virginia 30 minutes on the agenda for the April 6, 1998 meeting, to present their proposal.

After discussion and by consensus of the Board it was agreed to allow U.S.A. Waste of Virginia a 30-minute slot for the April 6, 1998 meeting. Mr. Carwile was going to notify USA Waste of Virginia of this appointment.

Mr. Carwile explained that the Courthouse roof needed to be repaired and recommended Mr. Martin proceed with getting prices.

The consensus of the Board was for Mr. Martin to obtain prices for fixing the Courthouse roof.

Mr. Carwile next explained that he had received several complaints from citizens concerning the need for an ordinance confining livestock.

Mrs. Ferguson explained that Mr. Lawson was working on such an ordinance.

Mr. Bosiger explained that the Board of Supervisors had told the I.D.A. that a decision would be made at this meeting whether to proceed with the option for the industrial site.

Mr. Torrence made a motion seconded by Mr. Carter to have the I.D.A. proceed with an option on an industrial site and begin pertinent study. Also, the study should consider a portion of this site for a recreation facility. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for other business.

Hearing none, Mr. Carter made a motion seconded by Mr. Moore to recess until 7:00 P.M. on March 16, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 16, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: Garet K. Bosiger - Chairman- Falling River District
 Samuel E. Carter - Courthouse District
 Frank H. Carwile - Wreck Island District
 Dennis W. Torrence - Falling River District

Absent: Russell H. Moore - Piney Mountain District

Also Present: Aileen T. Ferguson - County Administrator
 Andy Carroll - Assistant County Administrator

Mr. Bosiger reconvened the meeting of March 9, 1998 and called on members of the Pamplin Volunteer Fire Department to appear before the Board.

Mr. Lloyd Richardson, Mr. Walker Covington and Mr. Ricky Baldwin came forward and explained their reason for appearing before the Board was to explain their plans for a new firehouse and request funding from the Board.

Mr. Baldwin presented each member of the Board with a detailed handout of their plans.

Mr. Richardson provided a detailed explanation of the departments plans and answered questions of the Board.

After discussion, the Board of Supervisors agreed to consider their request during the budget process.

Mr. Bosiger thanked and excused Mr. Richardson, Mr. Covington and Mr. Baldwin and called Mr. Earl Dickerson, with Hurt and Proffitt, to appear before the Board.

Mr. Dickerson began by explaining his proposed gas remediation plan for Appomattox County Landfill. Mr. Dickerson also explained several types of permit amendments and the cost associated with each one.

By consensus of the Board of Supervisors it was agreed that Mr. Dickerson try to consolidate the three(3) needed permit amendments into one (1) application in order to save on permit fees.

Mr. Carroll next reported on options researched in trying to resolve the methane gas migration issue.

Mr. Dickerson also discussed information gathered from meetings with D.E.Q. on methane gas venting.

Various alternative solutions for venting methane gas were discussed.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Carwile to authorize Mr. Dickerson to proceed with writing permit amendments for gas venting wells, groundwater wells and amendments to the tire program. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carroll next presented a letter from Emanuel Tire asking the Board of Supervisors to allow them to work extended hours.

After a lengthy discussion, and by consensus of the Board it was decided for Emanuel Tire to work from 7:00 A.M. to 4:30 P.M. Monday through Friday and 7:00 A.M. to 12:00 Noon on Saturday, for the next two weeks.

Mr. Bosiger next thanked and excused Mr. Dickerson and turned the other Board members attention to requests from Memorial United Methodist Church and The Appomattox Chamber of Commerce for use of the Courtland Field.

Mr. Torrence made a motion seconded by Mr. Carter to allow Memorial United Methodist Church and the Appomattox Chamber of Commerce the use of the Courtland

Field provided they have insurance coverage for their events. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented information on the proposed repairs to the high school roof.

After discussion, Mrs. Ferguson was asked to have someone with Fauber Architects appear before the Board at the next meeting to answer questions concerning the proposed high school roof project.

Mr. Bosiger next presented several supplemental appropriation request.

Mr. Torrence made a motion seconded by Mr. Carter to approve the following supplemental appropriations:

1101 – 5803	\$ 809.81
2109 – 3009	\$ 2325.92
3102 – 1001	\$10645.00
3102 – 2002	\$ 1642.00
3102 – 1002	\$ 374.55
3301 – 5407	\$.65
3501 – 7001	\$ 425.00
5310 – 3001	\$41069.87
5310 – 3002	\$ 7405.88

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Discussion followed concerning a request from the landfill for \$12,804.00 for final drive repairs to the bulldozer.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$12,804.00 to 4204 – 3004. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next explained the Town of Pamplin had presented Sharon Rothery's name for appointment to the Community Center Board.

Mr. Carwile made a motion seconded by Mr. Torrence to appoint Sharon Rothery to the Community Center Board for a term to expire February 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger informed the other members of the Board that the Cooperative Agreement for Dam Repair which was signed several months ago has been amended due to a reduction in the cost.

Mr. Carter made a motion seconded by Mr. Torrence to approve the new agreement for Dam Repair. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then reminded the other members of the Board of an appointment that was necessary for the CVCC Board . Mr. Bosiger continued that two names had been submitted, Mrs. Pat Torrence and Mr. Thomas Ford.

After discussion of the qualifications of each candidate, Mr. Carter made a motion, seconded by Mr. Carwile to appoint Mr. James Ford, Jr. to the CVCC Board effective July 1, 1998 for a four year term. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, abstained.

Mr. Bosiger next explained that an executive session was necessary to discuss a legal matter.

Mr. Carter made a motion at 9:00 P.M. seconded by Mr. Torrence to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the was resolved the Board of Supervisors return to regular session at 9:47 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was any other business to come before the Board.

Being none, Mr. Carter made a motion seconded by Mr. Torrence to adjourn until 7:00 P.M. on March 30, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 6, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator

Mr. Bosiger called the meeting to order and asked Mr. Torrence to deliver the invocation.

Mr. Bosiger next asked if there were additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Moore to approve the minutes of the March 2, 1998 regular meeting as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay explained that she only had one (1) item and that was a resolution on the bus circles at the Appomattox Middle School.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, construction and renovation at the Appomattox County Middle School has caused a section of Route 9020 to follow a new location, as shown on the attached sketch titled "Changes in the Secondary System Due to Renovation and Construction at Appomattox County Middle School" dated at Appomattox, Virginia, March 3, 1998.

BE IT RESOLVED, that the portion of Route 9020, Section 1, as shown in blue on the aforementioned sketch having a total length of 0.07 mile, be hereby added to the Secondary System of State Highways pursuant to Section 33.1-68 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 9020, Section 2, as shown in red on the aforementioned sketch having a total length of 0.07 mile be hereby abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if any member of the Board had requests for Ms. Lindsay.

Mr. Torrence asked for the road width on route 627.

Ms. Lindsay stated she would have Mr. Hall call Mr. Torrence on this question.

Mr. Moore stated he had been approached concerning the speed limit on route 26 from Mt. Airy Church to Wells Fabrication. Mr. Moore continued that residents in that area would like the speed limit reduced to 45 MPH.

Ms. Lindsay stated she would look into this matter and report to Mr. Moore.

Being nothing further for Ms. Lindsay, Mr. Bosiger thanked and excused her.

Mr. Bosiger next called on Judge Sam Kerr to appear before the Board.

Judge Kerr began that his reason for coming before the Board was to request additional funding to help him buy back his retirement, that he could have earned during his time as part-time Commonwealth Attorney for Appomattox County.

Judge Kerr explained his position in this matter and continued that he had attempted to join the retirement system at the time of his employment with the County and he was told that part-time people were not allowed on the retirement.

A lengthy discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to pay an additional \$5300.31 to Virginia Retirement System on behalf of Judge Kerr. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, nay; Mr. Torrence, aye.

Judge Kerr thanked the Board of Supervisors for their support.

Mr. Bosiger thanked and excused Judge Kerr, and recognized U.S.A. Waste Services.

Mr. Lee Wilson came forward and introduced himself as District Manager for U.S.A. Waste of Virginia and also introduced Mr. Weegie Thompson, Landfill Sales

Representative for U.S.A. Waste of Virginia. Mr. Wilson continued that their purpose for meeting with the Board of Supervisors was to review their proposal for building a transfer site in Appomattox County. Mr. Wilson and Mr. Thompson provided detailed information on the transfer of waste from Appomattox County to their landfill site in Amelia.

Mr. Wilson and Mr. Thompson then answered questions of the members of the Board of Supervisors.

Mr. Bosiger thanked and excused Mr. Wilson and Mr. Thompson and called on Mr. Dennis Gragg, Emanuel Tire of Virginia, to appear before the Board.

Mr. Gragg began by presenting the Board of Supervisors with a letter from Norman Emanuel with a plan for taking care of operational problems at the tire-processing site located at the landfill. Mr. Gragg also requested extended hours to allow for equipment service and/or maintenance.

Discussion followed concerning the problems incurred with the tire processing operation and ways to solve these problems. The general consensus of all parties was that considering the needs of Emanuel Tire of Virginia for unlimited restrictions on their operating hours and the County's responsibility to provide a secure landfill, the tire processing operation within landfill boundaries was not compatible.

After considerable discussion Mr. Torrence requested an executive session to discuss a personnel matter.

Mr. Torrence made a motion at 8:25 P.M. seconded by Mr. Moore to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session at 8:45 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I)

only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger continued that if he understood Mr. Gragg correctly, Mr. Gragg had asked for six (6) months in order to locate and permit another site for the tire processing operation. Mr. Bosiger stated that he understood Mr. Gragg's request to be that within that six (6) month period needed for relocation, he was requesting the Board of Supervisors allow him to operate additional hours in order to perform maintenance on his equipment. Mr. Bosiger continued that his understanding was that no trucks hauling tires would enter or exit the landfill during these extended hours.

Mr. Bosiger explained that landfill personnel had agreed to come in at 7:00 A.M. Monday through Saturday to allow the extra hours of operation for Emanuel Tire to perform maintenance on equipment. Mr. Bosiger continued that the Board of Supervisors had agreed to these extra hours in order to accommodate Emanuel Tire.

Mr. Bosiger thanked and excused Mr. Gragg and called on Mrs. Mary Ann Freshwater to appear before the Board.

Mrs. Freshwater thanked the Board for the opportunity to meet with them and explained her reason for coming before the Board was to request a proclamation recognizing the week of April 19 through 25, 1998 as Virginia Crime Victims' Rights Week.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, one violent crime is committed in America every 19 seconds; and

WHEREAS, 36.8 million victimization's of Americans occur in the United States each year, and of those, 9.1 million are victims of violent crime; and

WHEREAS, crime victims play an indispensable role in bringing offenders to justice; and

WHEREAS, law abiding citizens are no less deserving of justice, rights, resources, restoration, and rehabilitation than the violent offenders who victimize them; and

WHEREAS, crime victims and their advocates over the past two decades have made unparalleled progress in securing rights for crime victims in the criminal justice system; and

WHEREAS, the citizens across America believe that Victim's Rights are Right for America and the millions of survivors of crime and their families deserve justice; and

WHEREAS, as a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore and expand crime victims' rights; and

WHEREAS, Appomattox County Victim/Witness Assistance Program is joining forces with victim service programs, criminal justice officials and concerned citizens throughout Appomattox County, Virginia and America to observe National Crime Victims' Rights Week;

therefore, be it

RESOLVED, that Appomattox County Board of Supervisors designates the week of April 19 to April 25, 1998 as Appomattox County, Virginia Crime Victim's Rights Week; and be it further

RESOLVED, that Appomattox County Board of Supervisors reaffirms a commitment to address victims' rights and criminal justice issues during 1998 Appomattox County, Virginia Crime Victims' Rights Week and throughout the year, and be it further

RESOLVED, that this official proclamation be presented to Appomattox County Victim/Witness Assistance Program on April 6, 1998.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mrs. Freshwater thanked the Board of Supervisors for their support for the rights of victims of crime.

Mr. Bosiger excused Mrs. Freshwater and invited Brett Thompson and Franklin Vaughan to appear before the Board.

Mr. Thompson and Mr. Vaughan explained they had requested an appointment with the Board of Supervisors on behalf of the Appomattox Chamber of Commerce to request funding for an Executive Director for the Chamber. Mr. Thompson then presented the Board members with a letter from the Chamber explaining the reason for needing the Executive Director position at this time. Mr. Thompson continued that an additional amount of \$20,000.00 would be needed from the Board of Supervisors in order to fund the proposed position.

Board members then asked questions of Mr. Thompson and Mr. Vaughan.

Mr. Bosiger then told Mr. Thompson and Mr. Vaughan that the Board of Supervisors would consider the Chambers' request and notify the Chamber of their decision.

Mr. Bosiger thanked and excused Mr. Thompson and Mr. Vaughan.

Mr. Bosiger next called for Supervisor Concerns.

Mr. Bosiger reminded the other members of the Board of the Central Virginia Regional Dinner Meeting scheduled for April 16, 1998 at 6:30 P.M. at the Frozen Food Locker.

Mr. Bosiger next reminded everyone of the scheduled budget work sessions of April 7 and 9.

Mr. Carter then asked Mrs. Ferguson if she would contact the Sheriff's Department and request they work radar on state route 641 and state route 719. Mr. Carter continued that he had been receiving complaints about the excessive speed in this area.

Mr. Torrence stated he felt the Board should appoint a committee to review the areas of need in a sports complex and make recommendations to the Board of Supervisors.

Mrs. Ferguson was instructed to place this item on the agenda for a future meeting.

Mr. Bosiger then turned the attention of the Board to the Administrative Items.

Mr. Bosiger explained that several Musical or Entertainment Festival Permits had been requested.

Mr. Torrence made a motion seconded by Mr. Moore to approve Musical or Entertainment Festival Permits for Stonewall Vineyards, Mayfest and Stonewall Antique Power Associations power show, and waive the bond requirements. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Bob Bradner for a resolution supporting combining with five (5) other localities in our VJCCCA Biennial Plan.

Mr. Moore made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the County of Appomattox agrees to participate in The Virginia Juvenile Community Crime Control Act; and

WHEREAS, participation in the Virginia Juvenile Community Crime Control Act requires a local plan be drawn showing how funds will be expended;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Appomattox County that the plan attached to this resolution is the Virginia Juvenile Community Crime Control Act local plan for Appomattox County and that this Board endorses this plan.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger also presented a request from Mecklenburg County supporting Senator Charles Robb's "Buy-out plan" for tobacco growers.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, Flue-cured tobacco is of tremendous economic importance to the producers in Appomattox County, generating over \$300,000 annually in farm sales

WHEREAS, there are proposals to eliminate the Flue-Cured Tobacco Acreage-Poundage Program as it currently exists which would eliminate flue tobacco quotas whereby eroding producer equity,

WHEREAS, in the proposed Tobacco Transition Act there are many different "buy out plans" with one of these plans being proposed by Senator Charles Robb from Virginia,

WHEREAS, the Robb Plan is the most equitable plan for all parties involved, including taxpayers, producers, allotment owners, communities and tobacco companies,

THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors voted unanimously at their regular monthly meeting on April 6, 1998, to support Senator Robb's Proposal and to request all counties in tobacco growing areas to do the same. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several requests for supplemental appropriations.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate the following:

\$2583.03 to 8105-6001;
534.40 to 1101-5803;
1023.00 to 2109-3009;
753.25 to 7301-5415;
2118.13 to 7301-5414;
145.20 from the Law Library Fund;

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented a recommendation from the Courthouse Committee that the Board hire Craddock Cunningham Architectural Partners to do a needs assessment on the Courts and Court related offices and present recommendations to the Board for acceptance.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$20,000.00 and hire Craddock Cunningham Architectural Partners to provide a needs assessment and recommendations for meeting the needs of the Courts. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Mr. Richard Martin, Director Social Services, for funding for a new telephone system and a new sign.

After a discussion on the funding request from Social Services, Mr. Carter was asked to study this request and report back to the Board at a later date.

Mr. Bosiger then asked the Board of Supervisors if they wished to address the issue of the high school roof replacement.

After a lengthy discussion, Mr. Moore made a motion seconded by Mr. Torrence to allow the School Board to proceed with the high school roof project, with the understanding the School Board will use the funds in the School Capitol Improvement Fund, and the Board of Supervisors appropriating the balance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

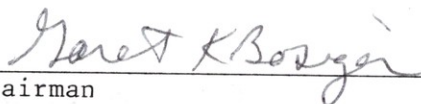
Mr. Bosiger next presented a letter from the Town of Appomattox informing the Board they had voted not to become members of the I.D.A. although they did agree to participate in a water/sewer agreement with the County.

Mr. Bosiger then explained to the other members of the Board that a request had been made from Crime Stoppers for funding to assist with their project. Mr. Bosiger asked if it would be appropriate to consider this request during the budget discussions?

By consensus of the Board, it was agreed to consider the funding request for Crime Stoppers during budget sessions.

Mr. Bosiger called for any other business.

Mr. Torrence made a motion at 9:40 P.M., seconded by Mr. Moore to recess until 7:00 P.M. on April 7, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 7, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Mr. Gareth K. Bosiger – Chairman – Falling River District
Mr. Samuel E. Carter – Appomattox Courthouse District
Mr. Russell H. Moore – Piney Mountain District
Mr. Dennis W. Torrence – Appomattox River District

Absent:

Mr. Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
 Andy Carroll, Assistant County Administrator

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mrs. Ferguson if she would begin budget explanations with the Board of Supervisors budget.

Mrs. Ferguson began that she had figured all budgets with a 2.25% salary increase effective 12/1, due to information she had received from the State. A lengthy budget review followed with the following changes in the budget requests being proposed:

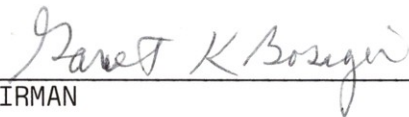
1209	\$	1,170.00 reduction in part-time salaries
2102		600.00 reduction request for new telephones
2105		459.00 reduction request for secretarial chair
2106		2,000.00 reduction request for computer
2109		500.00 reduction in 2109-5413
3104		39,841.00 reduction request for County funded position
3202		16,000.00 reduction (\$500.00 heating service; \$15,000.00 Concord request; \$500.00 communication equipment)
3202		10,157.00 add for accident and health policy for fire and rescue
3203		15,000.00 reduction request from Concord
3301		13,650.00 reduction
3501		21,615.00 addition
4203		1,515.00 reduction in 4203-5408
		70,000.00 reduction in 4204-3002
5101		659.00 reduction
5105		7,000.00 reduction
7301		12,520.00 reduction

At the conclusion of budget review, Mr. Bosiger asked if there were any other matters for discussion?

Mr. Torrence stated that Pamplin Volunteer Fire Department needed a response to their request for funding for their new building in order to proceed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to commit \$40,000.00 annual funding to the Pamplin Volunteer Fire Department, for a three year term beginning in 1999, to help fund a new fire station. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, at 9:55 P.M., Mr. Carter made a motion seconded by Mr. Moore to adjourn until 7:00 P.M. April 9, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


 CHAIRMAN

A public hearing of the Appomattox County Board of Supervisors was held on April 9, 1998 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the purpose of the hearing was to receive public comment on the proposed increase in the real estate tax levy from \$0.52 per hundred to \$0.55 per hundred. Mr. Bosiger then explained the procedure for addressing comments to the Board.

Mr. Bosiger then called for anyone that wished to comment to come forward.

Mr. Jessie M. Rosser came forward and gave his address as Route 6 Box 415, Appomattox, Virginia. Mr. Rosser thanked the Board of Supervisors for the job they were doing and suggested a way to increase revenue without having to raise the tax levy.

Mr. Bosiger called for other comments.

Mr. Harry Lawson came forward and gave his address as Route 4 Box 348, Appomattox, Virginia. Mr. Lawson stated he did not feel the Board of Supervisors should buy such a large tract of land for an industrial since that he and his family had a smaller tract that he felt would be more practical for Appomattox County's purposes. Mr. Lawson continued that Appomattox did not have the work force to support more industry. Mr. Lawson suggested that during the next six months the Board should check with present business owners to see how they feel about more business moving into the County. Mr. Lawson thanked the Board for their time.

Mr. Bosiger called for other comments.

Mr. Charles R. Griffin came forward and gave his address as Route 5 Box 764, Appomattox, Virginia. Mr. Griffin stated he was opposed to the tax increase. He also stated that he was opposed to the industrial site, he moved to Appomattox because he liked the small town atmosphere and did not want that to change.

Mr. Bosiger asked if anyone else wished to comment.

Mr. Danny Cash stated his address as Route 4 Box 598, Appomattox, Virginia. Mr. Cash stated that taxes were already too high and that as a farmer he could not continue to sustain increases in real estate taxes. Mr. Cash asked the Board to "nip it in the bud before it got worse".

Mr. Bosiger called for other comments.

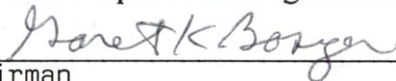
Mr. Dale Campbell, Route 1 Box 2585, Spout Spring, Virginia came forward and stated he was not arguing about the tax rate, he only felt the County should have completed budget preparation prior to setting a tax rate.

Mr. Bosiger called for other comments.

Mr. Wayne Phelps came forward and gave his address as Route 4, Appomattox, Virginia. Mr. Phelps stated he was opposed to the proposed industrial site. He continued that he felt the County should buy Mr. Clayton Bryant's tract instead of the proposed site. Mr. Phelps stated that industrial development would only require the need for more schools, a larger Sheriff's Department, fire departments, etc. Mr. Phelps continued that people were worn out with taxes and government. He was in favor of keeping Appomattox a small town.

Mr. Bosiger called for other comments.

Hearing none, at 7:20 P.M., Mr. Bosiger declared the public hearing closed.


Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 9, 1998 after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll - Assistant County Administrator

Mr. Bosiger called the recessed meeting to order at 7:25 P.M. and asked the members of the School Board and school board administrative staff to join the Board of Supervisors.

Mr. Bosiger then asked Mr. Lannis Selz, Chairman, School Board, if he wished to begin by presenting details on the School Boards' proposed FY99 budget.

Mr. Selz began by saying that he understood that the Board of Supervisors had received copies of the schools proposed budget for FY99 and that he and school board personnel would try to answer any questions that the members of the Board of Supervisors may have.

A lengthy question and answer session followed with the School Board addressing any questions of the members of the Board of Supervisors.

At 8:30 P.M., being no further questions for the School Board, Mr. Bosiger thanked them for their time.

Mr. Bosiger then turned the Boards attention to the proposed FY99 budget and budget review continued with the following changes proposed:

Life Insurance premiums were deducted from each department, due to the State giving a holiday from premiums to State and local governments.

Pay for performance was added to the Commissioner of Revenue and Treasurer's budgets due to funding from the State.

Registrars' salary was increased due to additional salary increase approved by the State.

The County Administrator's salary was increased by \$5,000.00 in an attempt to bring her in line with other localities.

1301	\$ 2,000.00 reduction for voting machine (with the understanding that if a new voting machine was needed in FY99 a supplemental appropriation would be made)
1301	1,050.00 addition for maintenance of equipment
3102	195,349.00 reduction
3108	170.00 addition
4302	60,000.00 reduction
5301	54,571.00 reduction
6101	702,621.00 reduction
7102	3,300.00 reduction in equipment
7109	5,000.00 reduction to Appomattox Youth Sports
7109	1,500.00 reduction to Pamplin Community Center
7109	250.00 reduction Virginia FFA Foundation
7109	1,512.00 reduction Virginia Legal Aid Society

7109	60.00 reduction 4-H Educational Center, Inc.
8105	50,000.00 addition to site preparation
8303	703.00 reduction
9104	120,000.00 addition
9203	383.00 reduction

After budget review, Mr. Bosiger called for other business.

Mr. Torrence made a motion seconded by Mr. Carter to increase the tax levy on real estate from \$0.52 per hundred to \$0.55 per hundred for 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Emanuel Tire of Virginia had asked if they hired a security guard to watch the landfill gate would the Board allow them to work from 7:00 A.M. to 7:P.M.

After discussion, the Board felt they could not make a decision in this matter because they need more information.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to recess until April 20, 1998 after the public hearing. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on April 20, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent (Board of Supervisors):

Frank H. Carwile – Wreck Island District

Present (Planning Commission):

C. A. Moore
Kevin O'Brien
Calvin Tanner
Wayne Lewis
Marvin Mitchell

Charles Robinson

Absent (Planning Commission):

Al Sears

Elizabeth Edwards

Jim Seftor

Also Present:

Aileen T. Ferguson, County Administrator

Andy Carroll, Assistant County Administrator

W. M. Caldwell, Clerk to the Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the purpose of the hearing was to receive public comment on several zoning petitions and stated the procedure for addressing comments.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 98-337 of Robert Bryant for a conditional use permit to allow mobile home on 4.0 acres with existing dwelling. Property is Tax Map Parcel #41 (A) 45 and is located on Route 616 between Route 24 and Route 655. Property is zoned V-1.

Mr. Bosiger called for comments on this petition.

Mrs. Dale Bryant came forward and gave her address as Route 3 Box 416, Appomattox, Virginia. Mrs. Bryant asked the Board of Supervisors to grant her request to put a mobile home on her property for her mother and that she be allowed to keep the mobile home there in the event that her mother passes away.

Mr. Bosiger called for other comments on this petition.

Hearing none Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-338 of John R. Cole for a conditional use permit for home occupation (Sporting good sales) within main dwelling. Property is Tax Map Parcel #88 (4) 6 & 7 and is located on Route 733 between Route 727 and Dead-end. Property is zoned R-1.

Mr. Bosiger called for comments on this petition.

Mr. John R. Cole came forward and gave his address as Route 5 Box 956, Appomattox, Virginia. Mr. Cole continued that he has had a Federal Firearms License for some time and that due to his family moving he has to have zoning approval at the new location

prior to renewing his license. Mr. Cole stated that his business would not cause any problems at the new location. Mr. Cole asked for a favorable decision from the Board.

Mr. Bosiger called for other comments concerning this petition.

Mrs. Joyce Platel came forward and gave her address as Route 5 Box 971, Appomattox, Virginia. Mrs. Platel continued that she was not in favor of allowing this business in a residential neighborhood. Mrs. Platel stated that there were children in this subdivision and that their safety had to be considered. Mrs. Platel asked that the petition be denied.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-339 of Berkley Cabaniss and others to rezone property from R-1 to A-1. Property is Tax Map Numbers 50-A-18 through 21 located on Route 613 between Route 659 and Route 341.

Mr. Bosiger called for comments on this petition.

Mr. Berkley Cabaniss came forward and stated his address as Route 4 Box 200, Appomattox, Virginia. Mr. Cabaniss stated he wanted the rezoning in order to place a mobile home on his property for his great granddaughter.

Mr. Bosiger called for other comments.

Mr. Bill Williamson came forward and gave his address as Route 4 Box 214, Appomattox, Virginia. Mr. Williamson stated that when zoning was first implemented he had requested that his lots be zoned A-1 and had been assured that this had been taken care of but that in checking later he found out that it had not. Mr. Williamson stated he wants his property rezoned to A-1.

Mr. Bosiger called for other comments.

Mr. Wayne Phelps came forward and gave his address as Route 4 Box 225, Appomattox, Virginia. Mr. Phelps continued that he was a large landowner in this area and that this was a situation of looking after family and he felt that the request should be granted. Mr. Phelps again stated that he was in favor of the rezoning request.

Mr. Bosiger called for other comments.

Hearing none Mr. Bosiger asked Mr. Caldwell to read the final zoning petition.

Mr. Caldwell read petition number 98-340 of Jane D. and Mario Luongo for a conditional use permit to allow home occupation in accessory building (electrical contractor).

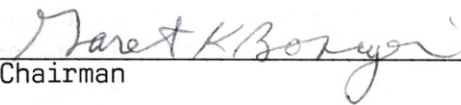
Property is Tax Map Parcel No. 12-A-19A located on Route 616 between Route 615 and Route 663.

Mr. Bosiger called for comments on this petition.

Mrs. Jane Luongo came forward and stated her address as Route 2 Box 187, Gladstone, Virginia. Mrs. Luongo asked that their request be granted in order for her husband to operate his business from their home.

Mr. Bosiger called for other comments.

Hearing none, and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:14 P.M.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 20, 1998 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson, County Administrator
Andy Carroll, Assistant County Administrator
Thomas W. Lawson, County Attorney

Mr. Bosiger called the meeting to order at 7:25 P.M. and gave the invocation. Mr. Bosiger then explained that Mr. Moore was in the Planning Commission meeting and that they would continue with some items until he was free.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Carter to approve the minutes of the recessed meetings of March 9, 1998 and March 16, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next recognized members of the Social Services Board and asked that they come forward.

Mr. Bosiger explained that the Social Services Board had requested a proclamation from the Board of Supervisors naming April as Child Abuse Prevention Month.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, numerous individuals and organizations across Virginia work daily to end the cycle of child abuse and neglect and work to provide families the assistance they need; and

WHEREAS, the incidence of child abuse and neglect affects a reported 3.1 million children in the United States annually; and

WHEREAS, the Commonwealth of Virginia is committed to supporting our families through programs that help prevent child abuse and neglect; and

WHEREAS, all children should have the opportunity to benefit from a strong family that provides valuable support and caring for its members that last a lifetime; and

WHEREAS, our society must resolve to preserve, protect and promote the time-honored ideal of a stable family in order to strengthen the moral, social and economic underpinnings of the Commonwealth, and we must work to ensure that all children receive a proper upbringing from parents and adults who make them feel safe, happy and loved;

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors, do hereby proclaim April 1998 as Child Abuse Prevention Month in the County of Appomattox.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were several appropriation requests for Board approval.

Mr. Torrence made a motion seconded by Mr. Carter to make the following supplemental appropriations:

\$25.00 to 1101-5803

\$2889.77 to 1201-7003

\$1418.00 to 3501-5408

\$21.24 to 7301-5415

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the probation period for Amy Poole and Jack Hawthorne, Jr. were over and that the County Administrator recommended placing these people on full time with the standard increase.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to place Amy Poole and Jack Hawthorne, Jr. on full time with the standard 5% increase. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that a \$775.00 supplemental appropriation had been requested in order to construct the "Too Good To Throw Away" Building at the landfill.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$775.00 and have the "Too Good To Throw Away" building at the landfill constructed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Thomas Brooks, on behalf of Fred and Stella Ackers, for a variance to the lot width requirement of the subdivision ordinance.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to grant a variance to the lot width requirement of the subdivision ordinance for Fred and Stella Ackers. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carter asked if a replacement for Carolyn Lawson had been appointed to the STEPS Board?

Mrs. Ferguson stated that she would put this on the agenda for the next meeting.

Mr. Carter next stated that he had received complaints about tractor trailers blocking traffic as they are attempting to turn into the shopping center and asked if Mrs. Ferguson would see if Mrs. Lindsay could look into this.

Mr. Torrence reminded the other members of the Board about the groundbreaking at the Pamplin Fire Department on Sunday, April 26, 1998 at 3:00 P.M.

Mr. Torrence asked if signatures were being obtained on the Frog Bottom project.

Mrs. Ferguson explained that they were waiting on the deed to be returned from the Hogues.

Mr. Bosiger explained he had received a letter from Marcy Jones about the unveiling of a billboard that had been designed by the FHA Hero's, that had won national recognition. Mr. Bosiger continued that Mrs. Jones had requested members of the Board to attend the unveiling, if possible. The unveiling would take place on April 27, 1998 at 4:00 P.M. on Route 460 near Big Horn Market.

Mr. Carter stated that he would be available to attend the ceremony.

Mr. Bosiger then presented a revision to the request from the Chamber of Commerce for their After Hours event. Mr. Bosiger then explained that when the Chamber had requested the use of the Courtland field they had stated there would be no alcohol. Since that time they have decided they will be serving alcohol and wanted to see if the Board would still allow the use of the Courtland field.

After discussion, it was agreed to wait until Mr. Moore could join the meeting before taking action on this request.

Mr. Bosiger then stated the Board of Supervisors would take a 10-minute recess at 7:58 P.M. to wait on Mr. Moore to finish in the Planning Commission meeting.

At 8:07 P.M. Mr. Bosiger called the meeting back to order.

Mr. Bosiger next called on Mr. Monte Mays to appear before the Board.

Mr. Mays came forward and stated that his reason for coming before the Board was to explain some changes that had come about since he spoke with the Board in December. Mr. Mays continued that he had approached the Board about the percentage to use for valuation of personal property and had explained that the State wished all assessments to be 100 % of the value. Mr. Mays continued by providing facts pertaining to situations that have occurred due to the Board decision to go to 100% value.

After a lengthy discussion, Mr. Torrence made a motion seconded by Mr. Moore to rescind previous action taken increasing the value of personal property to 100% and return to 50% of retail value. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Bosiger thanked and excused Mr. Mays and called on Mr. Dennis Gragg, and Mr. Ted Barnhart, Emanuel Tire of Virginia, to appear before the Board.

Mr. Bosiger explained that the reason for Mr. Gragg and Mr. Barnhart coming before the Board was that Mr. Norman Emanuel was not satisfied with the permitted hours of operation approved by the Board for Emanuel Tire Operation.

Mr. Carter stated that he had several questions concerning the letter from Mr. Emanuel.

Mr. Barnhart attempted to address Mr. Carter's questions.

A lengthy discussion followed concerning the operational problems between Emanuel Tire of Virginia and the landfill.

Mr. Barnhart explained that essentially they were coming to the Board to ask for a divorce and for the Board's cooperation during the period of time that it would take to get the proper permits in place to move the tire processing operation.

Mr. Torrence asked for a firm date that the operation would be moved.

Discussion continued with the general consensus being that Mr. Barnhart would see if Mr. Emanuel would agree to move the tire operation by July 1, 1999 and the Board would consider allowing extended hours of operation for that period, with Emanuel Tire of Virginia paying the additional expense.

Mr. Bosiger thanked and excused Mr. Gragg and Mr. Barnhart.

Mr. Bosiger then turned the Board's attention to an appropriation request from the Maintenance Department to have the tile in County offices stripped and rewaxed, install tile at the Library, and have the windows in the Cupola reglazed.

After discussion Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$9960.00 to the maintenance department to take care of stripping and rewaxing floors in County offices, installing tile at the Library and reglazing the windows in the Cupola. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained the request from the Chamber of Commerce for the use of alcohol at the "After Hours" event to be held at the Courtland field.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to deny the use of the Courtland Field to the Chamber of Commerce, if alcohol is planned to be used at this event. Vote: Mr. Bosiger, nay; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then read a letter to Mr. Carwile from the Community Center Board of Directors requesting that the Board of Supervisors proceed with improvements to the Primary School playground.

Discussion followed.

After discussion, and by consensus of the Board, the request to make improvements to the Primary School playgrounds was denied due to the County's commitment to purchasing land for a sports complex.

Mr. Bosiger next explained that the IDA was requesting an allocation of \$10,000.00 in order to proceed with site work on the proposed industrial site. Mr. Bosiger continued that this money was already in the budget.

Mr. Torrence made a motion seconded by Mr. Carter to release \$10,000.00 to the IDA for site work. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Carroll wished to talk to the Board concerning the groundwater monitoring program at the landfill.

Mr. Carroll explained that he and Mrs. Carter had been reviewing the groundwater monitoring reports and felt that a more detailed analysis of these reports and some other corrective actions could probably be taken to get the landfill back into detection monitoring. Mr. Carroll asked for permission to check with firms other than the ones we were presently using to see if another company could provide more expertise in the area of groundwater monitoring.

After discussion, and by consensus, the Board of Supervisors agreed for Mr. Carroll to proceed with checking with other firms on the groundwater-monitoring program at the landfill.

Mr. Bosiger asked for other business.

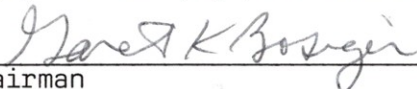
Mr. Torrence then stated that he had some names to submit for the Sports Complex Committee. Mr. Torrence provided the names for Mrs. Ferguson and asked that a committee be appointed at the next Board of Supervisors meeting.

Mr. Bosiger stated that the public hearing on the budget had been scheduled for May 4, 1998 and that he felt that the date should be changed to May 18, 1998. Mr. Bosiger continued that the reason for the date change was to allow for time to meet with department heads and constitutional officers concerning their budgets.

After discussion and by consensus of the Board it was agreed to hold the budget public hearing on May 18, 1998 at 6:30 P.M.

Mr. Bosiger called for other business.

Hearing none, Mr. Moore made a motion seconded by Mr. Torrence to adjourn at 9:24 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on May 4, 1998 at 7:00 P. M. in the Courthouse, Courthouse Square, and North Court Street, Appomattox, Virginia.

Present:

Mr. Garet Bosiger – Falling River District
Mr. Sammy Carter – Appomattox Courthouse District
Mr. Frank Carwile – Wreck Island District
Mr. Russell Moore – Piney Mountain District
Mr. Dennis Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Tommy Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter explained that the minutes of April 6, 1998 regular meeting incorrectly gave his District as Appomattox River.

Mr. Bosiger called for other corrections.

Mr. Moore made a motion seconded by Mr. Torrence to approved the minutes of a joint work session and recessed meeting of the Appomattox County Board of Supervisors and the Appomattox Town Council held on February 28, 1998; public hearings of March 30, 1998, April 9, 1998 and April 20, 1998; regular meetings of April 6, 1998, and April 20, 1998; and recessed meetings of March 30, 1998, April 7, 1998, and April 9, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by stating that she had not yet received information requested at a previous meeting concerning speed limit reduction on State Route 26 but that she was continuing to work on this.

Ms. Lindsay continued that meetings were being scheduled for June 1998 to accept comments on the U. S. 29 Corridor Study.

Ms. Lindsay then asked if any of the Supervisors had concerns for her.

Mr. Carter asked Ms. Lindsay if there was any corrective action that could be taken at the entrance to the shopping center, to better serve tractor-trailer traffic entering the shopping center. Mr. Carter continued when tractor-trailers were entering the shopping center from the eastbound lane, they were blocking traffic exiting the shopping center and creating a traffic hazard.

Ms. Lindsay explained that she knew of nothing to correct this problem, but would research the matter further.

Being no further for Ms. Lindsay, she was thanked and excused.

Mr. Bosiger next recognized Mrs. Robyn Allen, Director, Piedmont Alcohol Safety Action Program.

Mrs. Allen began by thanking the Board for the opportunity to report to them concerning her program and introduced Mr. McCullum, Executive Director of VASAP.

Mrs. Allen continued with a progress report for the past year and explained that her program was totally offender funded. Mrs. Allen then answered questions of the members of the Board.

Mr. Bosiger thanked Mrs. Allen and Mr. McCullum for the information provided and called upon the members of the School Board and School Administration to appear before the Board.

Mr. Lannis Selz, Chairman of the School Board, began by explaining that they were appearing before the Board of Supervisors to request funding be reinstated in the budget for FY99 that had previously been deleted. Mr. Selz provided a handout for Board of Supervisors members. Mr. Selz then followed with an explanation for the necessity for at least a portion of the funding to be reinstated in order to meet certain State mandates and in order to meet certain local matches.

A lengthy discussion followed.

After discussion, Mr. Bosiger thanked and excused the school officials and assured them that their request would be considered.

Mr. Bosiger next called on Mr. Dennis Gragg, with Emanuel Tire of Virginia, to appear before the Board.

Mr. Gragg began that his reason for coming before the Board was in answer to the discussion at a previous meeting concerning Emanuel Tire of Virginia moving its operation from landfill property. Mr. Gragg continued that Mr. Emanuel had sent a letter to the Board asking for certain considerations and he wanted to get the Board's reaction to Mr. Emanuel's request.

Mr. Gragg stated that Mr. Emanuel had agreed to move the operation with the move to be complete October 1, 1999. Mr. Gragg continued that until that time they were requesting to operation from 7:00 A.M. to 7:00 P.M. Sunday through Saturday.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to hire a 40 hour per week, temporary person with no benefits, at Emanuel Tire of Virginias' expense, to work gate security, in order to allow Emanuel Tire of Virginia to operate from 7:00 A.M. to 7:00 P.M. Sunday through Saturday, with the understanding Emanuel Tire of Virginia would move it's operation no later than October 1, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mr. Gragg and called for Supervisor Concerns.

Mr. Carwile thanked the other members of the Board and the Office Staff for their concern during his recent illness.

Mr. Carwile then stated that he was interested in pursuing further information concerning USA Waste possibly hauling trash out of the County. Mr. Carwile asked that the Board of Supervisors be open minded concerning this option. Mr. Carwile suggested that installing a transfer station at a location other than the landfill would solve several problems.

After discussion, and by consensus of the Board, it was agreed that the office staff would pull together current cost figures for landfill operation within 60 days, and report back to the Board.

Mr. Bosiger then called for other concerns. Hearing none Mr. Bosiger asked the other members of the Board to turn their attention to the first Administrative Item, appointment to S.T.E.P.S. Board of Directors.

After discussion, Mrs. Ferguson was asked to place this appointment on the agenda for the next meeting in order to give members of the Board an opportunity to find someone to fill this vacancy.

Mr. Bosiger next asked if there were any additional appointments that anyone wished to make to the Sports Complex Committee.

The names that had already been suggested are as follows:

Anne Dixon, Jerry Small, Bookie Johnson, Bobby Layne, Dale Campbell, Monte Mays, Dickey Kelso, Coty Dickerson and Steve Lambson.

Mr. Bosiger asked to add Mr. Raymond Mullins' name to the list.

Mr. Carter suggested Mr. Gregg Mayberry be added to the committee.

After discussion, Mrs. Ferguson was asked to contact these individuals to see if they were willing to serve on this committee.

The committee responsibilities would be to decide the number of fields that are needed in the County. The acreage needed to accommodate a sports complex. Concession stand and bathroom needs, and parking needs.

Mrs. Anne Dixon was appointed to steer this committee.

Mr. Bosiger then asked the other members of the Board if they had reviewed the Town/County Police Agreement Renewal.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to enter into the police agreement with the Town of Appomattox for a two- (2) year term. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

(Copy on file in the County Administrator's Office).

Mr. Bosiger next explained that several supplemental appropriations were necessary.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate the following:

\$ 5,702.69 to 1101-2002
812.06 to 1101-5803
5.00 to 3501-5410
1,633.19 to 3102-5408
26,181.11 to 4204-3002
64.20 to 7301-5415
38.76 from the Special Library Fund
213.68 from the Law Library Fund.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Discussion followed concerning the School Board appropriation requests, the courthouse roof repairs and expenditures from Courthouse Maintenance Funds.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$137,488.00 to the School Board for additional State funds received; and \$15,000.00 from Cafeteria Funds.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Carter to appropriate \$156.10 from Courthouse Maintenance to purchase a new chair for J & D Court. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

After discussion on the needed repairs to the Courthouse roof, and by consensus of the Board, it was agreed to table this matter until a final decision had been made on the future of the Courthouse.

Mr. Bosiger next asked if the Board of Supervisors wished to publish the delinquent tax list for 1998.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to publish, the intent to publish the delinquent tax list for 1998, for two (2) weeks. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented the recommendations from the Planning Commission meeting of April 20, 1998.

After discussion Mr. Carwile made a motion seconded by Mr. Torrence to accept the Planning Commission recommendations from the April 20, 1998 public hearing as follows:

98-337 of Robert Bryant for a conditional use permit to allow mobile home on 4.0 acres with existing dwelling. Property is Tax Map Parcel #41(A) 45 and is located on Route 616 between Route 24 and Route 655. Property is zoned V-1. Planning Commission recommended approval.

98-338 of John R. Cole for a conditional use permit for home occupation (Sporting Good Sales) within main dwelling. Property is Tax Map Parcel #88(4) 6 & 7 and is located on Route 733 between Route 727 and Dead-end. Property is zoned R-1. Planning Commission recommended disapproval.

98-339 of Berkley Cabaniss and others to rezone property from R-1 to A-1. Property is Tax Map Numbers 50-A-18 through 21 located on Route 613 between Route 659 and Route 341. Planning Commission recommended approval.

98-340 of Jane D. and Mario Luongo for a conditional use permit to allow home occupation in accessory building (electrical contractor). Property is Tax Map Parcel No. 12-A-19A located on Route 616 between Route 615 and Route 663. Planning recommended approval.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile left the meeting due to illness.

Being no further business Mr. Bosiger explained that an executive session was necessary to discuss a legal matter.

Mr. Carter made a motion at 9:42 P.M. seconded by Mr. Torrence to enter into executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore at 11:29 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

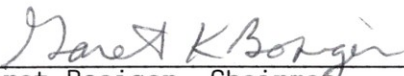
WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for any business necessary from the executive session.

Hearing none, Mr. Carter made a motion at 11:30 P.M. seconded by Mr. Moore to recess until May 11, 1998 at 7:00 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on May 11, 1998 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Mr. Gareth K. Bosiger – Chairman – Falling River District
Mr. Samuel E. Carter – Appomattox Courthouse District
Mr. Frank H. Carwile – Wreck Island District
Mr. Dennis W. Torrence – Appomattox River District

Absent: Mr. Russell H. Moore – Piney Mountain District

Also Present: Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order and asked Sheriff Wilson Staples to appear before the Board.

Sheriff began by explaining his reason for requesting an audience with the Board was to explain he could not operate with the amount of reduction in his FY99 budget proposed by the Board of Supervisors. Sheriff Staples then presented a handout explaining his budget request.

A lengthy discussion followed.

After discussion, Sheriff Staples was requested to see if he could have the cost of one vehicle left in his FY98 budget and the Board of Supervisors would try to fund four vehicles from unappropriated surplus.

Mr. Bosiger thanked and excused Sheriff Staples.

Mr. Bosiger then explained that a request had come in with the budget for a donation to support the regional Crime Stoppers project.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence, to donate \$1,000.00 to Crime Stoppers. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

General budget discussion followed.

Mr. Bosiger then presented a letter from General District Court asking the Board of Supervisors to reconsider the \$600.00 telephone request that had been cut from their FY99 budget.

After discussion, and by consensus of the Board, it was agreed to table action on this request until final plans were submitted for Courthouse renovation.

Mr. Bosiger next presented a request from the Town of Appomattox for an easement at the Community Center in order to connect a residence with a failing septic system to Town sewer.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to approve the easement proposed by the Town of Appomattox (Easement on file in County Administrator's Office) at the Community Center for a sewer line to a residence. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for a supplemental appropriation of \$2100.00 to pay the Department of Environmental Quality for permit amendment fees.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$2100.00 to pay landfill permit amendments to DEQ. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger explained that a letter had been received from a citizen complaining that no one would take care of a raccoon that she felt was acting strange. Mr. Bosiger continued that the citizen felt that someone should be designated to take care of these animals as situations arise.

Discussion followed.

After discussion, and by consensus of the Board, it was decided that Animal Control would not get involved in handling game animals that were acting strange.

Being no further business, Mr. Bosiger explained that an executive session was necessary to discuss a personnel matter.

Mr. Torrence made a motion at 9:30 P.M. seconded by Mr. Carwile to enter into executive session to discuss a personnel matter.

At 9:45 P.M. Mr. Torrence made a motion seconded by Mr. Carwile to return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carwile the following resolution was adopted:

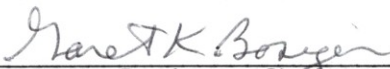
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, Mr. Torrence, aye.

Being no further business at 9:47 P.M., Mr. Torrence made a motion seconded by Mr. Carwile to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on May 18, 1998 at 6:30 P.M., in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Falling River District
Samuel E. Carter - Courthouse District
Frank H. Carwile – Wreck Island District
Dennis W. Torrence – Appomattox River District
Russell H. Moore – Piney Mountain District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the public hearing to order and explained the purpose of the hearing was to receive public comment on the proposed FY99 budget. Mr. Bosiger then gave the procedure for addressing comments.

Mrs. Renee Hoffman came forward and gave her address as Route 5 Box 370, Appomattox, Virginia. Mrs. Hoffman began by asking the Board of Supervisors to reinstate the \$125,061.00 to the school budget as requested by school administration. Mrs. Hoffman continued that she supports continuation of the arts programs in the school system because she feels this is very beneficial to the children. Mrs. Hoffman stated that she understands that if positions are cut, it will be the art and music positions at the primary level. Mrs. Hoffman stated that statistics show students with music training score higher on verbal and math tests. Mrs. Hoffman continued that she felt strongly that the school system should be looked at as an investment not an expense. Mrs. Hoffman thanked the Board for their time.

Mr. Bosiger next called for other comments.

Mr. John Hoffman came forward and gave his address as Route 5 Box 370, Appomattox, Virginia. Mr. Hoffman stated that he felt we needed good schools to support business. Mr. Hoffman continued that when people were looking to relocate, one of the things they always checked into was the school system. Mr. Hoffman stated in closing that "you get what you pay for."

Mr. Bosiger called for other comments.

Mr. Bobby Layne came forward and gave his address as Route 1 Box 3007, Spout Spring, Virginia. Mr. Layne stated that the Spout Spring Ruritan Club gave several scholarships to high school seniors this year and that out of the twenty-two students interviewed for scholarships twenty of them wanted to return to Appomattox after college. Mr. Layne continued that if we do not get good school systems to attract business to Appomattox these students are not going to have that opportunity. Mr. Layne encouraged the Board of Supervisors to consider reinstating funding to the schools. Mr. Bosiger called for other comments.

Mr. Gary Thomas came forward and gave his address as 9138 Short Level Road, Gretna, Virginia. Mr. Thomas stated that he was a native of Appomattox and a teacher in Pittsylvania County. Mr. Thomas continued that he felt he had information on additional funding that could help the County fully fund the school system. Mr. Thomas stated that the Trigon stock may be a way to help keep all teacher positions. Mr. Thomas encouraged the Board to work with the School Board to educate our children.

Mr. Bosiger called for other comments.

Mrs. Debbie Williams came forward and gave her address as Route 3 Box 423, Appomattox, Virginia. Mrs. Williams stated that if the funding is not reinstated to the school budget and physical education, music and art were cut it would put more work

load on classroom teachers. Mrs. Williams stated she wanted the Board of Supervisors to use available funds to educate the children.

Mrs. Evelyn Ford came forward and gave her address as Route 5 Box 114, Appomattox, Virginia. Mrs. Ford stated that she was a parent that worked with band boosters and she felt that the school system needed more than one band instructor. Mrs. Ford stated she felt band helped children have a well-rounded education. Mrs. Ford continued that she felt money was very important to running the school system.

Mr. Bosiger called for other comments.

Mrs. Shirley Eye came forward and gave her address as P. O. Box 703, Appomattox, Virginia. Mrs. Eye began by challenging the Board of Supervisors to DARE to be their very best. Mrs. Eye encouraged the Board to trust the school system and reinstate the funding required to educate our children.

Mr. Bosiger called for other comments.

Ms. Cary Clements came forward and stated her address as P. O. Box 613, Appomattox, Virginia. Ms. Clements explained that she was a new educator who came from a small school system. Ms. Clements stated that you may save now but you would lose later if the Board does not support the school budget.

Mr. Bosiger called for other comments.

Mrs. Susan Book came forward and stated her address as 110 Wildwood Road, Appomattox, Virginia. Mrs. Book stated that she realized that there were a lot of things that the school system felt we needed in Appomattox. She continued that her largest investment, outside of her family, was her home and she wanted to see taxes remain affordable so that she could continue to live in the home that she presently has. Mrs. Book continued that a lot of people had moved here from New Jersey due to the low taxes and she felt other routes should be explored other than higher taxes. Mrs. Book wants to know where the money that is given to the school system goes. She wants her children to be well educated. Mrs. Book stated she felt there were smarter ways to meet the children's needs other than more money. Mrs. Book stated she does not want to be burdened with more taxes.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger declared the public hearing closed at 6:58 P.M.


GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, the Appomattox County Board of Zoning Appeals, and the Appomattox Town Council was held on May 18, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission)

Calvin Tanner
Marvin Mitchell
Kevin O'Brien
Wayne Lewis
Robert Johnson
Russell Moore

Present (Board of Zoning Appeals):

Matt Lair
James Cheatham
Cliff Harvey
Wayne Phelps

Present (Town Council):

Ronnie Spiggle, Mayor
R. L. Bass, Vice Mayor
Jimmy Mayberry
Rick Pack
Joyce Bennett
Marvin Mitchell

Absent (Planning Commission):

Al Sears
Elizabeth Edwards
Claude Allen Moore
James Seftor

Absent (Board of Zoning Appeals):

Elizabeth Edwards

Absent (Town Council):

Steve Lawson

Mr. Bosiger called the public hearing to order at 7:00 P.M. and stated that in the absence of the Clerk to the Planning Commission, he would read the first petition. Mr. Bosiger then stated the purpose of the public hearing and the procedure for addressing comments to the Board.

Mr. Bosiger read petition 98-341 of Robert C. Stephens for a variance to paragraph 74-184 of the Appomattox Town Zoning Ordinance, pertaining to front and side setbacks. Property is located on Atwood Street between Highland Avenue and Lee Street. Property is zoned R-2.

Mr. Bosiger called for comments on this petition.

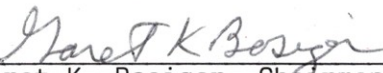
Hearing none, Mr. Bosiger read petition 98-342 of Historical Properties LLC for a conditional use permit to allow two family dwellings on single parcel. Property is located on Route 694 between Route 644 and Route 635. Property is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. Jeff Carwile came forward and gave his address as P. O. Box 998, Appomattox, Virginia. Mr. Carwile stated he was the partitioner and was asking only to be allowed to have a second apartment in the basement of an existing dwelling. Mr. Carwile stated that there would be no outward change to the existing structure.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger declared the public hearing closed at 7:05 P.M.


Gareth K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on Monday, May 18, 1998, after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 7:45 P.M. and called the members of the Electoral Board to appear before the Board.

Mr. Bosiger explained the Electoral Board had requested a meeting with the Board of Supervisors to recommend relocating the Vera Voting Precinct.

Mr. Fred Underwood and Mr. Wingfield of the Electoral Board began by thanking the Board of Supervisors for meeting with them to discuss the matter of moving the Vera Voting Precinct. Mr. Underwood explained that with the completion of the Oakville Ruritan Club building the Ruritans had agreed to allow the Vera Voting Precinct be moved into the new building with Board of Supervisor approval.

After discussion, Mr. Moore made a motion seconded by Mr. Carwile to move the Vera Voting Precinct from the old school building into the new Oakville Ruritan Club building. Vote: Mr. Bosiger, aye; Mr. Carter, abstained; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mr. Underwood and Mr. Wingfield.

Mr. Bosiger next called on Mrs. Lou Roach and Mrs. Carol Steele to come before the Board.

Mrs. Steele began by explaining that they represented Excel long distance telephone carrier and were interested in the County's long distance business. Mrs. Steele continued by explaining their program and the savings that could be realized.

After questions and discussion concerning Excel's offer, Mr. Moore made a motion seconded by Mr. Torrence to change all County Office long distance carriers to Excel. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

By consensus of the Board, Mrs. Ferguson was asked to contact the School Board and Constitutional Officers to recommend they also change their long distance carrier to Excel.

Mr. Bosiger thanked and excused Mrs. Roach and Mrs. Steele and asked Mr. Bob Scherle to appear before the Board.

Mr. Scherle began by providing a handout to each Board member concerning community service program cost and income. Mr. Scherle then explained that at present Piedmont ASAP was supervising the County's community service program but he would like to offer an alternative to this program. Mr. Scherle stated he felt the County could act as physical agent and operate it's own client funded community service program at a profit. Mr. Scherle provided further information into his proposal.

After discussion, Mr. Scherle was told the Board would look into the merits of the County operating it's own community service program and inform him of a decision at a later date.

Mr. Bosiger thanked and excused Mr. Scherle and called for Supervisor Concerns.

Mr. Carter stated that he would like to commend the Tour De Cure sponsors for their handling of the event in the County.

Mr. Carter also, asked the status of the telephone system for the Social Services Department.

Mrs. Ferguson stated she was expecting a letter from Mr. Martin concerning the maintenance contract for the present telephone system.

Mr. Carter next stated he had received a call from a citizen concerning the possible need for a lobbyist for the County.

After discussion, and by consensus of the Board, it was agreed to consider this matter at a later date.

Mr. Bosiger called for other Supervisor Concerns.

Hearing none, Mr. Bosiger began with the first administrative item, the matter of appointing a Building Code Review Board. Mr. Bosiger explained that several names had been suggested for appointment to this Board and asked if anyone wished to add a name or if there were any objections to the names submitted.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to appoint W. S. Slagle to a one year term, Richard Hamilton to a two year term, Wayne Lewis to a three year term, Blair Smith to a four year term, and W. A. Stratton to a five year term on the Building Code Review Board, effective immediately. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for a supplemental appropriation in order to reimburse for decals issued in error.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$37.50 to 1101-5803. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a livestock damage claim from James O. Doss.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$247.00 for fowl killed by stray dogs and pay the livestock claim of James O. Doss.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Mr. Donald Martin for approval to move forward with painting the exterior of the Medical Building, Community Center and the Library.

Discussion followed.

After discussion Mr. Torrence made a motion seconded by Mr. Carter to accept Lynchburg Paint Contractors bid of \$13,880.00 for painting the exterior of the Medical Building, the Community Center, and the Library and appropriate \$13,880.00 to pay for this service. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented an agreement with Virginia Power with new rates for the County. The new rates should represent a 4% saving to the County retroactive to July of 1997.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to accept the agreement with Virginia Power. (Copy on file in the County Administrator's Office). Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

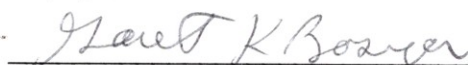
Mr. Bosiger explained there was no further business and asked the other members of the Board to come to the June 1, 1998 Board of Supervisors meeting prepared to adopt the FY99 budget.

Mr. Carwile asked if the Board of Supervisors could act on petition 98-342 of Historical Properties LLC.

Mr. Moore stated the Planning Commission had recommended approval of this petition.

Mr. Torrence made a motion seconded by Mr. Moore to accept the Planning Commission recommendation and approved petition 98-342 of Historical Properties LLS for a conditional use permit to allow two family dwelling on single parcel. Property is located on Route 694 between Route 644 and Route 635. Property is zoned A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile, abstained.

Being no further business, Mr. Torrence made a motion seconded by Mr. Carter, at 9:20 P.M. to adjourn until the regular meeting on June 1, 1998 at 7:00 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on June 1, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and called on Mr. Torrence to give the invocation.

Mr. Bosiger then called for approval of the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the regular meeting of May 4, 1998; and a recessed meeting of May 11, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained the next item of business was approval of the FY99 budget. Mr. Bosiger continued that there were several issues still unresolved. Mr. Bosiger explained there were \$128,186.00 in unassigned funds for FY99 and two requests for these funds totaling \$150,378.00. Mr. Bosiger explained in detail the two requests for funding to be reinstated in the FY99 budget. Mr. Bosiger then called for discussion on this matter.

Mr. Carwile began by stating that he realized that the feelings of the Board of Supervisors were to make necessary funds available to the Schools as well as the Sheriff. Mr. Carwile continued that since there were not enough funds available to fund both request he felt the Sheriff's request of \$25,317.00 should be met and appropriate \$85,000.00 to the school budget. Mr. Carwile stated that from his research he felt the \$85,000.00 would cover the schools needs.

Mr. Torrence stated he felt the schools request for \$125,061.00 to be reinstated in their budget was the minimum needed to fully operate. Mr. Torrence stated he felt funds were available to fully fund both requests even if it meant reducing the CIP fund in order to accomplish this.

A lengthy discussion followed.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to fund the school an additional \$85,061 and the Sheriff an additional \$25,317, with the remaining balance to be placed in operating reserve.

Mr. Torrence made an amendment to the original motion to reinstate the \$40,000.00 to the schools whether by reducing the CIP account or taking it from unappropriated surplus.

Mr. Bosiger called for a second on the amendment to the original motion.

Hearing none, Mr. Bosiger called for a vote on the original motion. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, nay.

Mr. Bosiger then called for a motion to adopt the FY99 budget and appropriation resolution.

Mr. Moore made a motion seconded by Mr. Carwile to adopt the County's FY99 budget and the following appropriation resolution:

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year commencing July 1, 1998 and ending June 30, 1999, from the funds, for the functions, and in the amounts indicated herein:

I.	General Fund	
	1101 Board of Supervisors	533,476.00
	1201 County Administrator	187,411.00
	1204 County Attorney	15,950.00
	1206 Independent Auditor	15,500.00
	1209 Commissioner of Revenue	205,652.00
	1210 Assessor/Reassessor	.00
	1211 Board of Equalization	.00
	1213 Treasurer	186,633.00
	1301 Electoral Board/Officials	25,727.00
	1302 Registrar	50,174.00
	2101 Circuit Court	13,631.00
	2102 General District Court	2,121.00
	2105 Juvenile/Domestic Relations Court	5,505.00
	2106 Clerk of Circuit Court	52,689.00
	2107 Sheriff (Civil Server)	34,366.00
	2109 Court Services Unit	35,537.00
	2130 Magistrate	875.00
	2201 Commonwealth Attorney	144,657.00
	2220 Witness Advocate Grant	23,966.00
	3102 Sheriff	1,025,317.00
	3103 Sheriff (Town Police)	91,691.00
	3106 DARE	10,000.00

	3108 Crime Prevention Grant	38,879.00
	3202 Volunteer Fire Departments	117,380.00
	3203 Volunteer Rescue Squad	66,700.00
	3204 Forestry Service	7,300.00
	3301 Sheriff/Jail	129,323.00
	3401 Office of Building and Housing	56,761.00
	3501 Animal Control	55,321.00
	3503 Medical Examiner	500.00
	3605 Emergency Services	2,000.00
	4101 Road Viewers	125.00
	4203 Refuse Collection	79,582.00
	4204 Refuse Disposal	331,887.00
	4206 Litter Grant	6,531.00
	4207 Recycling	24,482.00
	4302 General Properties	190,106.00
	5101 Local Health Department	96,170.00
	5105 Central VA Commission on Aging	4,058.00
	5202 Central VA Community Services	27,864.00
	5301 Social Services	4,907.00
	5302 State Local Hospitalization	5,864.00
	5309 Housing Worker Rental Assistance	19,376.00
	5310 Comprehensive Services	56,827.00
	6401 Central Virginia Community College	381.00
	7102 Parks & Recreation Department	64,868.00
	7104 Community Center	11,952.00
	7109 Contributions	17,040.00
	7301 Public Library	115,980.00
	8101 Planning (CVPDC)	3,900.00
	8103 Summer Youth	34,034.00
	8104 Zoning	1,200.00
	8105 Economic Development	153,818.00
	8106 Chamber of Commerce	13,000.00
	8111 Board of Zoning Appeals	700.00
	8112 Planning Commission	2,200.00
	8203 Robert E. Lee Soil & Water Cons.	9,319.00
	8303 Extension Services	38,603.00
	9203 Commissioner of Accounts	252.00
II.	Capital Improvement Fund (Uncommitted)	370,000.00
III.	Virginia Public Assistance Fund	1,024,800.00
IV.	School Operating Fund	12,798,643.00
	School Cafeteria Fund	717,756.00
	School CIP Fund	412,019.00
	School Special Project Funds	302,563.00

BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby, authorized to transfer from the General Revenue Funds pursuant this Resolution, as monies become available, and from time to time to meet the expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, nay. (A complete copy of the FY99 Adopted budget and revenue estimate is on file in the County Administrator's Office).

Mr. Bosiger assured the School Board that if they had needs at a later date they could feel free to approach the Board with an additional funding request.

Mr. Bosiger explained that he would need to leave the meeting at this point and turned the meeting over to Mr. Moore, Vice Chairman.

Mr. Moore then called on Mr. Earl Dickerson, of Hurt and Proffitt, to appear before the Board.

Mr. Dickerson began that his purpose for appearing before the Board of Supervisors was to provide cost figures for groundwater monitoring sampling and analysis. Mr. Dickerson provided the Board of Supervisors with a handout detailing cost and a plan of action. (Letter on file in the Board File for the month of June 1998.)

Mr. Dickerson then answered questions of the Board members.

Mr. Moore thanked and excused Mr. Dickerson and called upon Mrs. Terri Conrad to appear before the Board.

Mrs. Conrad began by explaining her reason for requesting an appearance with the Board was to explain her previous request for a citizen to be appointed to some of VACO's Steering Committees. Mrs. Conrad continued that in the past VACO had contended that only elected officials could hold seats on their Steering Committees, but after review of their bylaws, VACO agreed that there is nothing in the bylaws to prohibit a citizen appointment. Mrs. Conrad explained she felt it was very important that rural counties be represented on these committees. Mrs. Conrad volunteered to serve on one of these committees if the Board of Supervisors would like for her to serve.

Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to make citizen appointments to some of VACO's Steering Committees. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

By consensus of the Board, it was agreed to make the appointments at the June 15, 1998 meeting, in order to allow input from Mr. Bosiger.

Mr. Moore thanked and excused Mrs. Conrad.

Mr. Moore then called for Supervisor Concerns.

Mr. Torrence questioned the decision to install tile at the Library instead of carpet. Mr. Torrence stated he felt carpet was more appropriate in a Library setting.

Discussion followed, with consensus of the Board being to check with the Library Board to get their feelings on this matter and then see if this matter could be held until a later meeting for a final decision.

Mr. Moore next explained that all the people suggested to serve on the Sports Complex Committee had agreed to serve and it would be appropriate to make the appointments at this time.

Mr. Carwile made a motion seconded by Mr. Carter to appoint the following people to serve on the Sports Complex Committee: Dale Campbell, Jerry Small, Bookie Johnson, Bobby Layne, Monte Mays, Dickie Kelso, Coty Dickerson, Steve Lambson, Raymond Mullins, Greg Mayberry and James Cheatham. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore next explained that an appointment was necessary for the S.T.E.P.S. Board of Directors from Appomattox County.

Mr. Jim Smith's name was suggested for appointment and Mrs. Ferguson was asked to contact Mr. Smith to see if he would serve.

Mr. Moore then presented a request for a resolution of support from Mr. Michael F. Kavanaugh of the U. S. Army recognizing their 223rd anniversary.

Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS: The United States Army was established by the Second Continental Congress on the 14th day of June, 1775; and,

WHEREAS: The Congress directed that "... two companies of expert rifleman be immediately raised... in Virginia... as soon as completed, march and join the army near Boston, to be there employed as light infantry..." to assist our brethren in expelling the tyranny of the British Army; and,

WHEREAS: The United States Army remains the primary military service to project and establish land power in the defense of our citizens' freedoms and our nation's security interests; and,

WHEREAS: Many citizens of western and southwestern Virginia have served their nation and given the ultimate sacrifice in defense of our freedoms, as members of the United States Army; and,

WHEREAS: It is proper to recognize the United States Army annually on its birthday, and to thank those who have served and those who are presently serving. Therefor be it

RESOLVED: That the Board of Supervisors of Appomattox County, Virginia does recognize the United States Army on the 223rd anniversary of its establishment, and expresses its gratitude to those who served and those who are serving to protect our nation and its freedoms;

AND DECLARES: that the period from June 7 through June 14, 1998, be known as United States Army Week, and that the weekend of June 13 and 14, 1998 be set aside as Army Birthday Weekend;

AND FURTHER: Invites all of the citizens of Appomattox County, Virginia, and of the surrounding areas to join the Virginia Army National Guard, and Army Reserve and the components of the Active Army, along with the Thomas J. "Stonewall" Jackson Chapter of the Association of the United States Army in their display and show of today's Army at the National Guard Armory and vicinity on Reserve Avenue, Roanoke, during the 13th and 14th of June, 1998.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore then presented several requests for supplemental appropriations.

Mr. Carter made a motion seconded by Mr. Torrence to make the following appropriations:

\$ 60.72 to 7301-5401;
67.50 to 3203-5604;
5,442.03 to 4204-3002;
3,586.24 to 4204-3004;
314.47 from the Law Library Fund;
150,000.00 from the Textbook Rental Fund.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore then presented a request for a line-item transfer for Summer Youth Program.

Mr. Carter made a motion seconded by Mr. Torrence to make the following line item transfers:

\$6,808.17 from 8102 to 8103.

Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore presented a request from Social Services for a \$2000.00 appropriation for their Special Needs Account. Mr. Martin presented an accounting of how the last appropriation was spent.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$2000.00 to the Special Needs Account for Social Services. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore next asked Mr. Carroll to review the two items that he had for Board approval.

Mr. Carroll explained that our tire processing operating permit required a 9000-gallon tank be installed to contain run-off from the shredding operation. Mr. Carroll continued that this had not been done and that we were being sited for this violation during each inspection by D.E.Q. Mr. Carroll explained the various options open to the Board and requested guidance on how to proceed with this matter.

Mr. Torrence made a motion seconded by Mr. Carter to install a 9000-gallon tank at the tire processing operation to catch run-off from the shredder. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

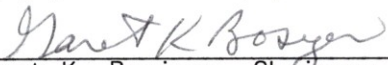
Mr. Carroll next explained that he had received a bid for performing storm event, NPDES and Landfill Leachate Monitoring at the Landfill and wished to discuss this with the Board.

Mr. Carroll then provided information to the Board concerning these services.

Mr. Carroll answered questions of the Board members.

Mr. Carwile made a motion seconded by Mr. Torrence to hire REI Consultants Inc. to perform Storm Event, NPDES and Landfill Leachate Monitoring. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Torrence to adjourn at 9:07 P.M., until June 15, 1998 after the zoning public hearing. Vote: Mr. Moore, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, and the Appomattox County Board of Zoning Appeals was held on June 15, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present: (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Dennis W. Torrence – Appomattox River District

Present: (Planning Commission):

Claude Allen Moore
Wayne Lewis
Kevin O'Brien
Robert Johnson
Marvin Mitchell
Russell Moore

Present: (Board of Zoning Appeals):

Wayne Phelps
James Cheatham
Cliff Harvey
Matt Lair

Absent: (Planning Commission):

Al Sears
Jim Seftor
Elizabeth Edwards
Calvin Tanner

Absent: (Board of Zoning Appeals):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson - County Administrator
Andy Carroll, Assistant - County Administrator
Thomas W. Lawson - Commonwealth Attorney
W.M. Caldwell- Clerk, Planning Commission

Mr. Bosiger called the public hearing to order stated the purpose of the hearing was to receive public comment on several zoning petitions and stated the procedure for addressing comments.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition 98-343 of Bernice L. Jackson for a variance to paragraph 170-80 (Table 2) of the Appomattox County Zoning Ordinance pertaining to side yard setbacks of dwelling. Property is part of Tax Map No. 41-5-2 and is located on Route 697 between Route 24 and Route 24. Property is zoned R-1.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger called upon Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-344 of Eileen McCormick for a variance to paragraph 170-81 of the Appomattox County Zoning Ordinance pertaining to location of Accessory building on lot. Property is located on Route 620 between Route 601 and Route 619. Property is zoned A-1.

Mr. Bosiger called on comments on this petition.

Mrs. McCormick came forward and stated she was requesting this variance because she did not wish to own more property but was in need of a storage building. Mrs. McCormick continued that the building would be vinyl sided in order to match the house and be an asset to the property.

Mr. Bosiger called for comments on this petition.

Hearing none, and their being no further petitions, Mr. Bosiger declared the public hearing closed at 7:05 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on June 15, 1998, at 7:19 P.M. after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District (late)
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and called for additions or corrections to the minutes.

Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of May 18, 1998, the regular meetings of May 18, 1998 and June 1, 1998, as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye;

Mr. Bosiger next explained that VDOT had requested a resolution accepting Towerhill Road in the State Secondary Road System.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation is hereby requested to add the street description below and on the attached additions Form SR-5 (A) to the Appomattox County Secondary Road System for maintenance the following subdivision road which has been constructed by the subdivider as a Class "A" subdivision in accordance with the requirements of Section 33.1 - 229, Code of Virginia and the Virginia Department of Transportation's Subdivision street requirements; **TO WIT:**

Fairview Hills Subdivision Section 1:

Towerhill Road - Beginning at Route 658 and running to the Northwest for a distance of 0.460 mile to a Dead End.

Total Length - 0.460 miles

Right of Way - 50 feet

BE IT FURTHER RESOLVED, that this Board guarantees a minimum unrestricted 50-foot right of way with additional width as may be necessary for cuts, fills and drainage together with easements on adjacent properties.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that appointments were necessary to several VACO Steering Committees' representing Appomattox County.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to appoint Terri Conrad to the Community Development and Planning Steering Committee and the Education Steering Committee representing Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several supplemental appropriation requests from Sheriff's Department, Comprehensive Services Act, and Commissioner of Revenue.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to appropriate the following:

\$9,250.00 to 3102-7001;

17.50 to 5310-3001;

500.00 to 1209-5501.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for \$2,000.00 to further study the 460-water project. Mr. Bosiger explained that this would expand on the previous study that the County had participated in.

A lengthy discussion followed.

Mr. Torrence made a motion seconded by Mr. Carter to participate in the continued study of the 460-water project at a cost of \$2,000.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then turned the Board's attention to a request from Social Services for a new telephone system and a new sign at a cost of \$6,712.00.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to approve \$6,712.00 for Social Services to purchase a new telephone system and a new sign. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Moore rejoined the meeting.

Mr. Bosiger then explained that a budget amendment was necessary for the school FY99 budget due to construction funds to be received.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion to leave the \$6,500.00 local match for a grant that the school has found they will not be receiving in their FY99 budget.

Mr. Bosiger called for a second to Mr. Torrence's motion. Hearing none, Mr. Bosiger stated that the motion died for lack of a second.

Mr. Carwile made a motion seconded by Mr. Carter to amend the schools FY99 budget in the amount of \$253,857.00 for construction funds to be received from the State. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented a line item transfer request from Mrs. Ferguson to pay Al Jones salary for the month of June 1998.

Mr. Moore made a motion seconded by Mr. Torrence to transfer \$601.00 from 7205-1001 to 3108-1001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Central Virginia Community Services Board was requesting a resolution designating the type of community services board that we were presently a part of.

Mr. Moore asked if the Board would take a short recess in order to allow him to discuss this matter with Terri Conrad. Mrs. Conrad also represents Appomattox County on the Community Services Board.

Mr. Bosiger declared a recess at 8:30 P.M.

At 8:45 P.M. Mr. Bosiger reconvened the meeting.

Mr. Moore explained that a situation had arisen with the Central Virginia Community Services Board that he and Mrs. Conrad felt was important to share with the Board. Mr. Moore then asked Mrs. Conrad to explain the situation to the other members of the Board.

Mrs. Conrad began that she did not have the full story but she had received a telephone call prior to coming to the Board of Supervisors meeting informing her that Central Virginia Community Services Board was operating at a \$684,000.00 deficit. Mrs. Conrad continued this would definitely impact services in Appomattox County. Mrs. Conrad continued that she planned to look into this matter further and would be prepared to meet with the Board of Supervisors at the July meeting to give a detailed report.

By consensus of the Board of Supervisors, it was agreed for Mrs. Conrad to give a detailed report to the Board at the July 1998 meeting.

Mr. Moore then made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, Section 37.1-194 of the *Code of Virginia*, 1950 as amended, requires each city and county to establish, singly or in combination, a community service board for the provision of mental health, mental retardation, and substance abuse services to its residents; and

WHEREAS, the Appomattox County Board of Supervisors already has established the Central Virginia Community Services Board pursuant to this statutory provision; and

WHEREAS, Section 37-194 of the *Code of Virginia*, 1950 as amended, further requires each city and county to designate, in consultation with its community services board, this board as an operating community services board, an administrative policy community services board, or a policy-advisory community services board with a local government department; and

WHEREAS, the Central Virginia Community Services Board provides a community mental health, mental retardation, and substance abuse services, directly through its own staff or through contracts with other providers; and

WHEREAS, the Central Virginia Community Services Board conforms to the definition of an operating community services board that is contained in Section 37.1-194.1 of the *Code of Virginia*, 1950 as amended; now therefore,

BE IT RESOLVED, by the Appomattox County Board of Supervisors, Virginia, that the Central Virginia Community Services Board is hereby designated as an operating

community services board with the powers and duties enumerated in Section 37.1-197.A of the *Code of Virginia*, 1950 as amended.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that The Red Oak Hunt Club wished to use the ballpark for a softball tournament.

Mr. Carwile made a motion seconded by Mr. Torrence to allow Red Oak Hunt Club the use of the ballpark for a softball tournament with the understanding they purchase the proper insurance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Mrs. Carter, Landfill Supervisor, to close the landfill on July 4, 1998.

Mr. Torrence made a motion seconded by Mr. Carter to allow the landfill to close on July 4, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an executive session was necessary to discuss a personnel matter.

Mr. Torrence made a motion at 9:00 P.M. seconded by Mr. Moore to enter into executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:13 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

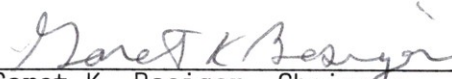
WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this

certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was any other business for discussion.

Hearing none, Mr. Moore made a motion seconded by Mr. Carter to recess until 7:00 P.M. on June 22, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Industrial Development Authority of Appomattox County was held on June 22, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Industrial Development Authority)

J.B. Drinkard Jr.
Walter E. Hancock
Winfred D. Nash
Richard D. Robinson
William S. Slagle
Charles L. Turner
Floyd Williams

Also Present:

Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Lee Cobb – Economic Developer, City of Lynchburg
Earl Dickerson – Hurt & Proffitt
Bif Johnson – Hurt & Proffitt
Jeff Rogers – Hurt & Proffitt
William Carter – Ferris, Baker, Watts
Dan Siegel – Sands, Anderson, Marks, & Miller

Mr. Bosiger called the meeting to order at 7:05 P.M. and stated that in accordance with the code of Virginia Section 2.1-344.3 an executive session was needed. Mr. Torrence

made a motion at 7:05 P.M. seconded by Mr. Carter to enter into an executive session to discuss property acquisition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion by Mr. Torrence at 10:15 P.M. seconded by Mr. Carter it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

On a motion made by Mr. Torrence seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger then stated that a supplemental appropriation was necessary for the salaries of the part time employees providing security at the landfill. Mr. Carwile made a motion seconded by Mr. Moore that the appropriation be approved. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger then stated that a vote was necessary to determine whether the Board wanted to hold a joint public hearing or public comment session with the IDA. After discussion, Mr. Torrence made the motion seconded by Mr. Carter to have a joint Board of Supervisors and IDA public comment session on July 13 at 7:00 P.M. in the High School cafeteria and that the Board of Supervisors have a formal vote with regards to the IDA's recommendation on July 20 at its regular meeting. More discussion followed concerning the difference between a public hearing and public comment session. Mr. Carwile stated that his concern stemmed from the IDA's request to proceed and that he wanted to have a public hearing before giving the IDA permission to proceed. The other Board members agreed that no decision would be made until the July 20 meeting and stated their preference for the public comment session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, nay; Mr. Moore, aye; and Mr. Torrence, aye.

At 10:30 P.M., Mr. Carter then made motion seconded by Mr. Torrence that the meeting be adjourned. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on July 6, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman- Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent:

Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Carter to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter noted a correction on page "a" under Board of Zoning Appeals Present that the minutes should reflect Cliff Harvey present instead of Cliff Drinkard.

Mr. Moore then made a motion seconded by Mr. Carter to approve the minutes of the joint public hearing of June 15, 1998 and the regular meeting of June 15, 1998 as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by informing the members of the Board about a public meeting to be held in Lynchburg to receive information for the TransAmerica Corridor Study. Ms. Lindsay invited anyone who could to attend this meeting.

Ms. Lindsay then asked if anyone had concerns for her.

Mr. Carwile stated that he had a problem with the way VDOT was tearing up the banks in wet weather. Mr. Carwile continued that he realized that they were on VDOT right-of-way but he felt when citizens were keeping in front of their homes maintained, VDOT should be considerate when they were mowing.

Ms. Lindsay stated that she would talk to Mr. Harvey about this concern.

Mr. Carwile next asked what could be done about the width of the bridge on route 660. He continued that he had nearly had an accident at this bridge and felt it should be widened.

Ms. Lindsay stated that this would have to be placed in the six-year plan before anything could be done about this problem. She continued that bridge replacement was extremely expensive.

Mr. Bosiger asked if anyone else had items for Ms. Lindsay.

Mr. Moore stated he would like to compliment Ms. Lindsay on the right-of-way mowing on route 26.

Mr. Bosiger asked Mr. Carter if he had comments for Ms. Lindsay.

Mr. Carter explained that he had received concerns about the width of route 616.

Ms. Lindsay stated this was also an issue that would have to be addressed in the six-year plan. She did continue that if the edge of the pavement had deteriorated she could repair this and possibly alleviate some of the problem. Ms. Lindsay assured Mr. Carter that she would look into this matter.

Being nothing further for Ms. Lindsay, Mr. Bosiger thanked and excused her.

Mr. Bosiger next explained that Ms. Conrad was not in attendance at the meeting and that the report on Central Virginia Community Services Board would be carried forward to another meeting.

Mr. Bosiger then called for Supervisor concerns.

Hearing none, Mr. Bosiger turned the Boards' attention to the first Administrative Item, Census 2000 committee appointment. Mr. Bosiger explained that the U.S. Bureau of the Census was requesting assistance with the year 2000 census.

A lengthy discussion followed as to the effectiveness of appointing such a committee.

After discussion, and by consensus of the Board, it was agreed to table this matter for possible future consideration.

Mr. Bosiger next explained that Mr. Jim Smith had not yet agreed to serve on the S.T.E.P.S. Board of Directors and that as soon as an answer was received, this matter would be brought back to the Board for action.

Mr. Bosiger next presented information from VRS concerning a Optional Health Credit Program for retirees.

After a lengthy discussion, and by consensus of the Board, it was agreed that this option did not appear to be feasible due to the expected cost versus benefits.

Mr. Bosiger then presented appropriation requests from the Library, Sheriff's Department, Animal Control and the Landfill.

After discussion, Mr. Moore made a motion seconded by Mr. Carwile to approve the following appropriations:

\$ 22.95 to 7301-5411;
\$2123.55 to 4204-3005;
25.00 to 3102-5413;
20.00 to 3501-5802.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then presented a request from the School Board that the balance of school funds from FY98, in the amount of \$151,340.06, be transferred into the school CIP fund for purposes stated in a letter dated June 25, 1998.

Discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Moore to approve the transfer of \$151,340.06, balance of school funds from FY98, be placed in the School CIP fund. Vote: Mr. Bosiger, aye ; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then explained that the school was requesting several appropriations. One for \$138,377.29, which was the balance in the Literary Loan Account and the other in the amount of \$150,000.00 from the school CIP, fund.

Mr. Carter made a motion seconded by Mr. Moore to appropriate \$138,377.29 from the Literary Loan Account to make Middle School Construction Renovation payment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Carter made a motion seconded by Mr. Moore to appropriate \$150,000.00 from the School CIP fund to be used for the purposes stated in a letter from Lannis Selz, School Board Chairman, dated June 25, 1998. (Copy on file in the July 1998 Board File).

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then explained that Mr. Brickhill had requested an appropriation of \$275.97 from the Law Library Fund for the month of July 1998.

Mr. Carter made a motion seconded by Mr. Moore to appropriate \$275.97 from the Law Library Fund for the month of July 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next explained that Mr. Carroll had updated the landfill study done by Hurt & Proffitt and that the information was provided in the Board Book.

Mr. Bosiger continued that he had reviewed this information, but felt he needed more time for study prior to discussion of this matter.

After discussion, and by consensus of the Board, it was agreed to schedule a work session to discuss the landfill study on August 10, 1998 at 7:00 P.M. in the Courthouse.

Mr. Bosiger next presented several bids for removal and replacement of the gasoline tank at the Sheriff's Department.

After review and discussion, Mr. Carter made a motion seconded by Mr. Carwile to accept Massie Oil Equipment Service, Inc.'s bid of \$11,500.00 to remove existing gasoline tank at the Sheriff's Office and replace with new tank. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next presented a letter from Lynchburg Community Action Group, Inc. for the County to sign a Certification acknowledging the availability of housing for AIDS infected persons in Appomattox County.

After discussion, Mr. Moore made a motion seconded by Mr. Carter to sign the Certification acknowledging that Lynchburg Community Action Group, Inc. provides housing assistance for persons with AIDS in Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next presented convention requests from the Commissioner of Revenue and the County Administrator.

Mr. Carter made a motion seconded by Mr. Moore to approve for Sara Wooten, Deputy Commissioner to attend LGOC and the County pay her expenses, and also for Aileen Ferguson, Andy Carroll and any Board Member who wished to attend VACO Annual Meeting be approved and their expenses be paid. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next presented a request that building permit fees and zoning fees be waived for Pamplin Volunteer Fire Departments new construction.

Mr. Carter made a motion seconded by Mr. Moore to waive building permit fees and zoning fees for Pamplin Volunteer Fire Departments new construction. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then asked the other members of the Board if they wished to publish the delinquent tax list.

Mr. Carwile made a motion seconded by Mr. Carter to publish the delinquent tax list once in the Times-Virginian. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye;

Mr. Bosiger next explained that Jackie Ballowe, Magistrate, had requested the Board approve \$1200.00 for the purchase of new computer and software.

Mr. Carwile made a motion seconded by Mr. Carter to approve a line item transfer of \$1200.00 from 1101-5804 to 2130-7002 to pay for computer, etc. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger then presented a request from Historic Appomattox Railroad Festival, Inc. for use of the Courthouse Square and the Courtland Field for October 10-11, 1998.

Mr. Moore made a motion seconded by Mr. Carter to approve use of the Courthouse Square and the Courtland Field by the Historic Appomattox Railroad Festival, Inc. October 10-11, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

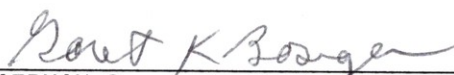
Mr. Bosiger then presented a request from Historic Appomattox Railroad Festival for a permit to display fireworks on October 10, 1998.

Mr. Moore made a motion seconded by Mr. Carter to approve a Fireworks Display Permit for October 10, 1998 for the Historic Appomattox Railroad Festival, Inc. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.

Mr. Bosiger next turned the other members of the Board's attention to the last inspection of the landfill performed by DEQ.

Discussion followed.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to recess until 7:00 P.M. on July 13, 1998 in the Appomattox High School Cafeteria. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye.


CHAIRMAN Gareth K. Bosiger

A joint public comment session of the Appomattox County Board of Supervisors and the Industrial Development Authority of Appomattox County was held on July 13, 1998 at 7:00 P.M. in the Appomattox County High School Cafeteria, located on State Route 727, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Falling River District
 Samuel E. Carter – Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Present (Industrial Development Authority):

J.B. Drinkard Jr.
 Winfred D. Nash
 Richard D. Robinson
 William S. Slagle
 Charles L. Turner
 Floyd Williams

Absent (Industrial Development Authority):

Walter Hancock

Also Present:

Andy Carroll – Assistant County Administrator
 Lee Cobb – Economic Developer, City of Lynchburg
 Stan Goldsmith – Region 2000 Program Manager
 Bif Johnson – Hurt & Proffitt
 Jeff Rogers – Hurt & Proffitt
 William Carter – Ferris, Baker, Watts
 Rob McClintock – Virginia Economic Development Partnership

Mr. Bosiger opened the meeting at 7:00 P.M. and explained that this was a joint public comment session. He explained that the public would have an opportunity to ask questions of the IDA, but the Board would not answer any questions. Mr. Bosiger then explained why the Board had created the IDA and that the IDA had been given the task of recommending an industrial site for the Board to consider.

Mr. Bosiger then asked that there be a moment of silence in honor of Congressman Abbitt who had passed away earlier that day.

At 7:05 P.M., the meeting was then turned over to the IDA Chairman Mr. Slagle to conduct the meeting. The IDA presented its proposal regarding an industrial park. The presentation included the preliminary engineering, financing, and marketing plan.

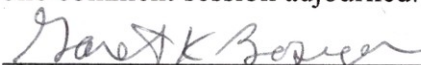
At 7:55 P.M., the IDA concluded its presentation. Mr. Slagle then asked for questions and comments from the public regarding the IDA's presentation.

Several citizens took this opportunity to ask questions concerning the proposed industrial park. Other citizens voiced their opinions pro and con regarding the proposed industrial park.

At 9:45 P.M., Mr. Slagle thanked the public for its comments and interest and then made some closing remarks before turning the meeting over to Mr. Bosiger.

Mr. Bosiger expressed appreciation for everyone coming to the meeting. Mr. Bosiger then thanked the IDA and their guests for the presentation. Mr. Bosiger stated that the Board would vote on July 20, 1998 regarding the industrial park.

At 9:50 P.M., Mr. Bosiger declared the public comment session adjourned.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on July 20, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger- Chairman- Falling River District
Samuel E. Carter- Appomattox Courthouse District
Frank H. Carwile- Wreck Island District
Russell H. Moore- Piney Mountain District
Dennis W. Torrence- Appomattox River District

Present (Planning Commission):

Al Sears
Kevin O'Brien
Wayne Lewis
Robert Johnson
Calvin Tanner
Russell Moore
Claude Moore
Marvin Mitchell
Elizabeth Edwards (late)

Absent (Planning Commission):

Jim Seftor

Present (Board of Zoning Appeals):

James Cheatham

Wayne Phelps
Cliff Harvey
Elizabeth Edwards (late)

Absent (Board of Zoning Appeals):
Matt Lair

Also Present

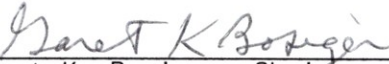
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order and explained the purpose of the hearing was to receive comments on a zoning petition. Mr. Bosiger then stated the procedure for addressing comments and called on the Clerk to the Planning Commission, Bill Caldwell to read the only petition for consideration.

Mr. Caldwell read petition number 98-345 of Donald Lewis for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to front yard setbacks of dwelling. Property is part of Tax Map No. 19-1-5 and is located on Route 686 between Route 663 and Route 615.

Mr. Bosiger called for comments on this petition.

Hearing none, and there being no other petitions, Mr. Bosiger declared the public hearing closed at 7:04 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on July 20, 1998 after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:05 P.M. and called for additions or corrections to the minutes.

Mr. Carwile stated that the minutes of June 22, 1998, with reference to the public hearing and the public comment session, that he took a stand with the Board of nay, are out of the context of what was actually said in the executive session, but he would accept them as they are, since it was really insignificant at this point. Mr. Carwile continued that he had read the minutes and they met with his approval and therefore made a motion seconded by Mr. Torrence to approve the minutes of the joint meeting of June 22, 1998 and the regular meeting of July 6, 1998 as submitted. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Charles T. Moses to appear before the Board.

Mr. Moses came forward and stated his purpose for meeting with the Board of Supervisors was to express his concerns with the proposed purchase of a 600-acre site for an industrial park. Mr. Moses continued by quoting cost figures related with this purchase, and in summation he stated that he felt the size of this tract was too large for Appomattox County. Mr. Moses continued that he felt an industrial park was a positive thing for Appomattox County but we needed to start smaller. Mr. Moses continued that he knew of a 100 acre tract on 460 that had already been surveyed and lots laid off for industrial development and felt that this was a better purchase. Mr. Moses thanked the Board for their time and stated he felt they would make the right decision in this matter.

Mr. Bosiger thanked and excused Mr. Moses.

Mr. Bosiger then stated that Ms. Terri Conrad was not due to appear before 7:30 P.M. and suggested the Board continue with Administrative Items.

Mr. Bosiger continued that the first item for discussion was a recommendation from the I.D.A. for the purchase of property for an industrial park. Mr. Bosiger continued that he was opening the meeting to this topic.

Mr. Torrence stated he had talked with a lot of citizens since the public comment session on July 13, 1998, and their responses to the proposed industrial site had been favorable. Having made that statement, Mr. Torrence made a motion seconded by Mr. Carter to accept the I.D.A.'s recommendation to purchase 575 acres from G. D. Gilliam, of which 100 acres could be reserved for a recreational facility, at a price of \$2,500.00 per acre for the purpose of establishing an industrial park and that the Board agrees to finance the purchase of the industrial park and infrastructure improvements with a \$2.5 million lease revenue bond. That the County accept option "B", which states, that the County make interest payments only for the first 5 years and then payments of interest and principal for the next 15 years. These yearly payments would be subject to annual appropriation of the Board.

Mr. Bosiger then called for discussion.

Mr. Torrence stated that he had spoken with several former Board of Supervisors members and that they all felt that if they were on the Board they would have to vote in favor of this proposal. Mr. Torrence continued that he had also spoken with representatives of Founders Furniture about their concerns with the proposed site, and had been assured their concerns had been answered at the public comment session and they felt this was a good opportunity for Appomattox. Mr. Torrence, in closing, stated he felt this was a workable project and that the County could afford to pay for this for the benefit of the citizens present and future.

Mr. Bosiger called for other comments.

Mr. Moore stated he agreed with Mr. Torrence's statements. He continued that the County had been working on this idea for some time and he felt now was the time to proceed. Mr. Moore stated that he had more concerns over this decision than any other matter, personal, business, etc., that he had ever been faced with. Mr. Moore stated he had received comments from numerous citizens and their concern was mainly with the size of the parcel. Mr. Moore stated he was unaware of a better solution and felt this project had been well thought out.

Mr. Bosiger called for other comments.

Mr. Carter stated he agreed with Mr. Torrence and Mr. Moore. He added that the I.D.A. had been commissioned to go out and look for the best possible site for an industrial park and report their recommendation to the Board. Mr. Carter continued that he felt the I.D.A. had done an in-depth study and explored all avenues prior to submitting their recommendation to the Board of Supervisors. Mr. Carter commended the I.D.A. on their work. Mr. Carter stated of the phone calls he received and the people he had spoken with, the majority was in favor of proceeding with the proposed site in order to provide jobs for our youth.

Mr. Bosiger called for other comments.

Mr. Carwile began by stating that he had a different view than the other members of the Board, and that he had also spoken with a former member of the Board of Supervisors and she had been opposed to this proposal. Mr. Carwile continued that to the best of his knowledge this was the greatest decision that the Board had been charged to make and that the fate of the County was in their hands; and also holds each Board member, as a governing body member, responsible for their actions. Mr. Carwile continued that to the best of his knowledge this was the greatest of all the great decisions that had ever been before a governing body of the County since the end of the Civil War; when two generals made peace with a hand shake in a very amicable way. Mr. Carwile stated that he hoped that the members of the Board would cast their votes for the betterment of the County and its people and that they would leave the meeting on some common ground of unity that there are so many unknowns in this project that it makes it scary to jump into it. Mr. Carwile continued that when people talk to him about the project they say they are in

favor of the project but they also say they are enjoying a moderate tax rate. Mr. Carwile continued that he was concerned that no risk assessment had been presented on this project. Mr. Carwile stated that the people who had spoken with him did not know what a risk assessment was, but the people who put the project together did, and still none was done. Mr. Carwile continued that he was concerned with unknown cost that could arise from this project. Mr. Carwile continued that they wanted to do the right thing and that this was a decision that he had spent a lot of time on and he wanted to make sure that the Board did the right thing. Mr. Carwile stated that in the infancy of the project he was supportive of the concept and supportive of the members of the I.D.A. He stated he praised the I.D.A. for their efforts. Mr. Carwile stated he felt the I.D.A. had done an excellent job, more than he would have expected. He continued he had no quarrel with the work they had done, he only had a quarrel when it came down to deep thinking. He referred to a speaker from the public comment session who caught his attention by pointing out that the Board needed to be cautious because of all of the unknowns and he even went so far as to say the County could bankrupt. Mr. Carwile then reminded the other members of the Board of the County indebtedness. Mr. Carwile continued with reasons that he felt to be compelled to oppose this project. Mr. Carwile reminded the other members of the Board of the other projects that were facing the Board within the next few years which he felt would add up to 15 to 20 million dollars, added to the County's present debt. Mr. Carwile then questioned where the money would come from to pay this debt other than real estate taxes. Mr. Carwile cautioned that when the real estate taxes got out of hand he didn't feel the citizens would have the same feelings toward the Board or the County. He felt citizens here were going to have to follow the example of their counterparts in northern States and move due to higher taxes. Mr. Carwile stated the Board had prioritized future projects in the order of importance and felt that they were taking this project on hoping, with projections unknown, that revenue would be generated. Mr. Carwile stated he did not think this was going to happen. Mr. Carwile continued by pointing the Board's attention to several other localities that had tried industrial sites and had failed. Mr. Carwile was also concerned with the impact on the infrastructure in the county. Mr. Carwile felt that as soon as any structure was located in the industrial park the local volunteer fire department was going to say number 1-they were not equipped to handle it and number 2-"you, the governing body, of this County moved the County from "home folks" to an industrialized community," and they were going to expect the County to pay them salaries. Mr. Carwile urged the other members of the Board to not feel that he was negative on this matter. He continued that from the infancy he had understood that the I.D.A. would put this in place and generate revenue to pay for this project. He was surprised to find that this did not work as he had been led to believe. Mr. Carwile stated that the County would purchase the land and then deed it to the I.D.A. Mr. Carwile continued that it puts you into the position again where the governing body has no control unless it bottoms up. Mr. Carwile stated that he was opposed to a recreational facility on this site due to problems for the neighbors and also due to the fact that the I.D.A. would control this facility. Mr. Carwile stated that this puts us in a situation that we are now in with the schools. Mr. Carwile stated that he and the Board were all in favor of good healthy recreation but he did not feel that this should be apart of the proposed industrial park because there would be too many people involved in it's control. Mr. Carwile stated he questioned if the Board was doing the right thing. Mr.

Carwile stated that he felt strongly and that he was hurt when it came back to him, and that it had to come from some of the I.D.A. members, that they had come back to the Board and said their recommendations on some of the smaller parcels of land, not really their recommendation but that it was out here, that the board told them to move out to the bigger tract. Mr. Carwile continued that he did not know anything about this and that he had contacted Mr. Torrence and Mr. Moore and they had assured him they knew nothing about this either, the I.D.A. moved out from somebody, a member of the Board, did give them the approval to move out and make the scale larger. He stated that did not set very well with him. He continued that he was also deeply concerned that when this was advertised in the local paper it stated that this would be a public forum for the I.D.A. and the Board of Supervisors. Mr. Carwile addressed Mr. Bosiger and stated that at the opening of that meeting Mr. Bosiger stood up and took that right away from the tax payers that had to pay for the project, by his statement that questions would be directed to the I.D.A. Mr. Carwile stated that two Board members, Mr. Bosiger and Mr. Torrence, caught themselves trying to answer after Mr. Bosiger's statement not to respond. Mr. Carwile stated that he had a problem that the I.D.A. conducted the public comment session and that the floor had never been opened up for citizens to ask questions of the elected governing body. Mr. Carwile went on to state his understanding of how the financing worked. Mr. Carwile stated that he had received more negative comments than positive. Mr. Carwile again stated that he hoped the Board could come together on some common ground to please and appease everyone. Mr. Carwile stated that the assessed value of the land was much less than the price the I.D.A. was prepared to pay. Mr. Carwile stated he came up with roughly 1 million dollars between the assessed value and what the I.D.A. recommended paying. Mr. Carwile continued that he had a problem with the I.D.A. because they went out and recommended to the Board the purchase of this tract. Mr. Carwile continued that if this is what he could expect from the I.D.A. then he had a problem with the I.D.A. But he stated he did not have a problem with the I.D.A. They were all fine gentlemen and he had a part in putting them in this position. Mr. Carwile stated that the last kicker was a letter from the Town that ties the County into, if you purchase this land, Mr. Carwile continued that someone was going to have to show him something different. He continued that what he had was a letter that was unofficial, but the letter tied him in to, if you purchase the land tonight, the way he interprets this letter, is information that was not given to the Board that has to make the decision, was not there at the public forum Monday night, and it troubles Mr. Carwile that this is 11/2 million dollars that was not brought into the picture. Mr. Carwile stated that the letter is from the Town to the Board of Supervisors, dated July 6, 1998 and received July 14, 1998, Mr. Carwile stated attached to this letter was a faxed copy from Hurt and Proffitt dated July 2, 1998. Mr. Carwile stated that he had a problem with this, as a cripple man he believed he could have gotten this letter from the Town Office to the County Office in fifteen or twenty minutes, but it was eight days getting there. Mr. Carwile pointed out that the letter was stamped received in the Supervisors Office one day after the public forum. Mr. Carwile questioned how a decision could be made when this information had not been available until recently. Mr. Carwile stated that he had begun thinking there was something out there from the Town and therefore he got to looking for it. He explained that it had troubled him. Mr. Carwile stated neither the I.D.A. nor Hurt and Proffitt had the responsibility to surface this information. Mr. Carwile explained how he

received this information. Mr. Carwile stated if the Board committed to purchasing this land they were also committing to another 1 ½ million dollars that the people were unaware of. Mr. Carwile stated he had a responsibility to surface this matter. Mr. Carwile stated that he did not see things in the light of Mr. Torrence's motion. Mr. Carwile stated that he had to do what his conscience demanded and be accountable and face the people on an issue of spending their money. Mr. Carwile explained the I.D.A. was not accountable but the Board of Supervisors was. He continued if the right decision was made-good, but if the wrong decision was made-bad. Mr. Carwile stated he would rather go down in making the right decision and that was to scale this project down. He continued that he would rather go down with omission rather than get into something the County could not afford. Mr. Carwile was concerned with adding more debt service to the County. He felt he agreed with Mr. Hunter that bankruptcy could happen. Mr. Carwile stated that he was going to ask to be recognized, and speak on there were other options to be had that could be more affordable and bring the people together on common ground of unity to please and appease. Mr. Carwile continued that as we look to industrialize our County he offered a motion. He continued by addressing the Chair and explaining that his motion was a privileged motion and that motion is, that the Board not except the recommendation of the I.D.A. that was recommended to the Board and ask them to give other options that are scaled down and more affordable and report back to the Board for the Board's consideration.

Mr. Torrence addressed the Chair and stated that he called for a point of order due to there already being a motion on the floor. Mr. Torrence continued that he disagreed with Mr. Carwile that you could not place a privileged motion on the floor when there was already another motion there.

Mr. Carwile addressed Mr. Torrence and explained that a privileged motion overrides any other main motion or any secondary motion.

At 7:52 P.M., Mr. Bosiger requested a 5-minute recess in order to review Robert's Rules of Order prior to making a decision in this matter.

At 8:08 P.M., Mr. Bosiger reconvened the meeting and declared that the Chair ruled that the privileged motion was out of order and that the Board would deal with the main motion as presented and seconded.

Mr. Torrence addressed the Chairman and stated he would like to hear Mr. Bosiger's views on this issue.

Mr. Bosiger began that this issue has been one that the Board of Supervisors has been working on for a long time. Mr. Bosiger stated that prior to giving his opinion on the industrial park, he would like to clear up one matter. He explained that all of the members of the Board had a letter in front of them from Mayor Ronnie Spiggle addressed to Andy Carroll, dated July 17, 1998. Mr. Bosiger read the following into the record:

Dear Mr. Carroll:

I apologize for any misconception, inconvenience, etc. that has occurred because of the letter dated July 6, 1998 concerning the engineer's preliminary estimate of the construction cost. The facts are as follows: prior to me leaving on July 3, 1998 I dictated the letter to be mailed on the 6th, however, I didn't sign the letter until July 12, 1998. The office staff mailed the letter on July 13, 1998 and inadvertently the staff left off the engineer's preliminary estimate of the construction costs.

Again, I apologize for any problems this may have caused you or your office staff.

Sincerely,
Ronald C. Spiggle
Mayor, Town of Appomattox

Mr. Bosiger stated that hopefully this would clear up the mystery of the letter dated July 6, 1998 and received in the County Administrator's Office July 14, 1998.

Mr. Bosiger continued that over the course of the period of working with the possible purchase of an industrial site there had been respected and wise people that had taken both sides of the issue. Mr. Bosiger stated that an I.D.A. had been appointed with instructions to go forward and work on an industrial park for the County of Appomattox. Mr. Bosiger stated that since that time there had been many meetings, both by the Board of Supervisors and the I.D.A., and the I.D.A. had made a recommendation, which they believe to be sincere. Mr. Bosiger continued that he complimented the I.D.A. for the job they had done. Mr. Bosiger stated that the citizens that had talked with him all had the interest of the County at heart. He stated that the comments he received ranged from caution, to problems with the cost and size of the property, the cost of developing infrastructure, the grants, but their main concern was the citizens having to pay for this project through increased tax rates. Mr. Bosiger stated that Mr. Fred Lawson had talked with him and asked that he pass his opinion along to the Board and that was that he felt an industrial park was needed but not a thirty year supply. Mr. Bosiger stated that he listened to every call from constituents that he received and weighed this information when making his decision. Mr. Bosiger stated that his concern was that the County had a tax base that may deteriorate. Mr. Bosiger continued by giving information on various Counties that he was familiar with. Mr. Bosiger summed up by saying that what he felt the Board had to decide was could they do the best thing for the County without unfairly or unduly taxing the citizens. Mr. Bosiger asked, could we afford to do this proposal as it has been presented. Mr. Bosiger stated that he felt we must move forward, and considering all things, he did not feel that this project would add a burden on the citizens. Mr. Bosiger closed that he would rather error on the side of commission rather than omission.

Mr. Bosiger called for other discussion.

Mr. Carwile addressed the Chair and asked if Mr. Bosiger would state why his motion was out of order.

Mr. Bosiger explained that when the Board was organized they agreed to operate by Robert's Rules of Order Simplified. He continued that they agreed to modify these as the Board saw fit. After reading through the guidelines it appears that a privileged motion can be made and that it must be second but that it was at the Chair's discretion to rule on whether it can be admitted or not. Mr. Bosiger continued that it has been the Board's custom to deal with one motion at a time. Mr. Bosiger stated this was the reason for his decision.

Mr. Torrence called for the question.

Mr. Bosiger restated the motion.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile stated for the record, "I respectfully decline to vote for the motion as stated, I must represent the people in a true democracy way, I have had more negative input than positive, for this project, therefore my vote is NO.

Mr. Bosiger then stated that they would move to the next item on the agenda, which was the proposed installation of a collection tank at the Emanuel Tire Operation located at the landfill.

After discussion, Mr. Moore made a motion seconded by Mr. Carter to install a collection tank to catch the wash down liquid used in processing at the Emanuel Tire Operation located at the landfill, at a cost of approximately \$1500.00 to \$2000.00 and appropriate the same. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next present supplemental appropriation requests from the School Board, Commonwealth Attorney and the Registrar.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to approve the following appropriations:

- \$440.10 from the Literary Loan Subsidy for the School Board
- \$500.00 to \$600.00 for the Commonwealth Attorney to attend convention
- \$250.00 for the Registrar to attend training.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger drew the Board's attention to a letter from the Town of Appomattox concerning the proposed sewer expansion and asked Mr. Carter if he would like to comment on this letter.

Mr. Carter stated that the cost information stated in the letter was the worst case scenario.

Mr. Carter continued by reviewing and explaining certain cost reported from Hurt and Proffitt.

After discussion, and by consensus of the Board, it was agreed to approach the Town and see if a work session could be scheduled for August 3, 1998 at 6:30 P.M. in the Courthouse, between the Town Council and the Board of Supervisors, to try to answer questions concerning the proposed sewer expansion.

Mr. Bosiger then asked the Board to turn their attention to the additional items for consideration.

Mr. Bosiger explained that a resolution was necessary to allow Main Street located in Country Haven Estates be taken into the State secondary road system. Mr. Bosiger continued that Country Haven Estates, Inc. had deposited \$50,311.52, with the County, to pay for their share of the construction cost. Mr. Bosiger also stated that it would be necessary for the Board to appropriate this same amount in order to pass along to VDOT.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the property owners resident in Country Haven Subdivision located on Route 611, 2.10 miles northeast of Route 609 in Stonewall Magisterial District have requested the Virginia Department of Transportation to provide an estimate for the construction of 0.37 miles of Main Street from Route 611 to 0.37 mile west of Route 611 to the requirements of the Virginia Department of Transportation and

WHEREAS, the Virginia Department of Transportation has provided an estimate for the cost for said subdivision street and the affected property owners have donated through the county \$50,311.53 fifty (50) percent of the estimate.

NOW THEREFORE, BE IT RESOLVED, that the Virginia Department of Transportation hereby is requested to add to the Appomattox County Secondary Road System for construction and maintenance the following section of road in accordance with Section 33.1 – 72.1, paragraph C, of the Code of Virginia of 1950, as amended.

MAIN STREET – Beginning at a point on Route 611, 2.10 miles east of Route 609 and running west for a distance of 0.37 mile.

BE IT FURTHER RESOLVED, that this Board does guarantee a minimum fifty (50) foot right of way with additional widths as may be necessary for cuts, fills and drainage, together with easements for drainage on adject properties.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Central Virginia Planning District Commission was requesting a two-year appointment from Appomattox County to serve on the Commission.

After discussion, it was agreed to make this appointment at the August meeting.

Mr. Bosiger also explained, that Central Virginia Planning District Commission was requesting approval to amend their by-laws to allow Region 2000 a vote on the Commission.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to adopt the by-law change proposed by Central Virginia Planning Commission to allow Region 2000 a vote on the Planning Commission. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Jim Smith had agreed to serve on the S.T.E.P.S. Board of Directors.

Mr. Carwile made a motion seconded by Mr. Torrence to appoint Jim Smith to the S.T.E.P.S. Board Directors to fill Carolyn Lawson's unexpired term. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any other business to come before the Board.

Mr. Torrence stated he had toured the Middle School renovation and felt this was indeed a well-done project. Mr. Torrence suggested that each member of the Board stop by and review the changes.

Mr. Torrence also mentioned that the Pamplin Fire Department was ready to begin construction.

Mr. Torrence then stated that he was under the impression that the 100 acres that is designated for recreation was to be under the control of the Board of Supervisors.

Mr. Carwile stated that there was no separation of this acreage in the proposal presented by the I.D.A.

Mr. Bosiger stated that his understanding was that it could be financed through the Bond but that the property would be deeded to the County. Mr. Bosiger then suggested that the Board of Supervisor schedule a meeting with the I.D.A. to discuss this matter.

Mr. Carter stated that he felt a meeting with the I.D.A. would be beneficial because there needed to be some discussion about the width of the buffer zone also.

Mr. Torrence stated that Mr. Sandvig and Dr. Fratrack had contacted him and he felt that the Board should do everything possible to make the least amount of impact on these two families.

Mr. Carwile stated that now that the purchase of the land was a reality, would it be wise to relocate the recreational facility and bring it back and put it in a readily accessible ingress, egress, but put it in an area that it would not cause any concern to the ones there, with the noise, trash, spinning tires, etc. Mr. Carwile continued that this was part of what he wanted to put into this from the beginning. That this recreational facility could be put somewhere that it would not bother anyone. Mr. Carwile suggested that the County purchase another tract for recreational use.

Mr. Torrence felt that he would rather have a recreational facility next door to him instead of an industrial park. Mr. Torrence felt the present location was good if it were buffered properly.

Mr. Carwile asked Mr. Bosiger if he didn't have a copy of property that might be good for this purpose.

Mr. Bosiger stated that Fred Lawson had presented him with a sketch of some property with an industrial park laid out but his feelings were that the location selected on the Gilliam property was the route to go with the recreational facility.

Mr. Torrence was concerned with buying more land for this purpose.

Mr. Carter stated that with the 575 acres the Board had the latitude to move over some if a larger buffer zone was necessary.

Mr. Carwile stated that he had received enough input from the people that a different site might be more appropriate, and he felt that it was his responsibility to pass it along.

In closing, Mr. Carwile stated, "if it don't work, don't say I didn't tell you". (Mr. Carwile requested this be put in the record.)

Being no further business, at 9:03 Mr. Moore made a motion seconded by Mr. Carter to adjourn until August 3, 1998 at 6:30 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint work session of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on August 3, 1998 at 6:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent (Board of Supervisors):

Dennis W. Torrence – Appomattox River District

Present (Town Council):

Ronnie Spiggle
Dick Bass
Jimmy Mayberry
Marvin Mitchell
Joyce Bennett
Rick Pack (late)

Absent (Town Council):

Steve Lawson

Also Present:

Bobbie Mullins- Clerk for Town Council
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson- County Attorney

Mr. Bosiger called the work session to order and welcomed the members of Town Council. Mr. Bosiger explained the reason for the work session was to review options related to the sewer expansion proposed by the Town. Mr. Bosiger then asked Mayor Spiggle if he would bring the Board of Supervisors up to date on the proposed sewer expansion.

Mayor Spiggle stated that the Town was in the process of working with Rural Development to get funding for this project. He continued that they were also looking at other alternatives to be sure that the most feasible alternative was chosen to solve the sewer problems. Mayor Spiggle stated that the Town was seeking grant funding to assist with the cost of this project and if a grant was obtained it would be for at least \$125,000.00. Mayor Spiggle explained that they should know sometime in October how much grant funding would be available. Mayor Spiggle stated that any grant funding that was received would come off the total cost and then the County would pay according to this adjusted figure.

Mayor Spiggle answered other questions pertaining to the proposed sewer expansion project.

A lengthy discussion followed.

After discussion, Mr. Bosiger declared the work session closed at 6:58 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on August 3, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and gave the invocation.

Mr. Bosiger called for additions or corrections to the minutes.

Mr. Bosiger explained that Mrs. Ferguson had found a correction in Mr. Torrence's motion concerning the I.D.A.'s recommendation, in the minutes of July 20, 1998, and that the following statements were left out of the motion:

.....that the Board agrees to finance the purchase of the industrial park and infrastructure improvements with a \$2.5 million lease revenue bond. That the County accept option "B", which states, that the County..... These yearly payments would be subject to annual appropriation of the Board.

Mr. Bosiger called for other additions or corrections.

Mr. Torrence made a motion seconded by Mr. Carter to approve the minutes of the joint public comment session on July 13, 1998; the joint public hearing on July 20, 1998; and the regular meeting on July 20, 1998, as corrected.

Mr. Carwile stated that he had not had an opportunity to review the minutes, as he would like, therefore he would vote nay for this reason.

Mr. Bosiger called for the vote:

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile, nay.

Mr. Bosiger then called upon Mr. Don Austin, Assistant Resident Engineer to appear before the Board.

Mr. Austin came forward and asked if the members of the Board had a copy of the resolution authorizing Frog Bottom to be taken into the secondary road system?

After review of the resolution, Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, the street described below was established prior to July 1, 1949, has provided public service since its establishment and is now deemed to provide sufficient public service to warrant addition to the Secondary System of State Highways, and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board request the following street be added to the Secondary System of State Highways, pursuant to Section 33.1 229, Code of Virginia and the Rural Addition Policy of the Virginia Department of Transportation:

Name of Street: Frog Bottom Length: 0.17 Mile
 From: Route 678
 To: 0.17 Mile North Route 678 to a dead end
 Guaranteed Right of Way Width: 50 feet
 Deed Recorded, Date July 22, 1998 Deed Book 244
 Page 438, 439, 440, 441, 442

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right of way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, pursuant to the Rural Addition Policy of the Commonwealth Transportation Board, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Austin called for other concerns.

Mr. Torrence stated that there was a problem on Route 633 and asked if there was anything that could be done to eliminate this problem.

Mr. Austin stated that he would look into this matter.

Mr. Carwile asked the status of improvements to Route 622.

Mr. Austin stated this area would be taken care of shortly.

Mr. Bosiger explained that he had received a call from a citizen concerning improvements needed on Route 652.

Mr. Austin explained that this road would have to be moved up on the priority list for unpaved roads when the Six-Year Plan was revised.

Being nothing else for Mr. Austin, Mr. Bosiger thanked and excused him.

Mr. Bosiger next called on Ms. Kim Sandvig and Ms. Cynthia Robertson to appear before the Board.

Ms. Sandvig began that their reason for appearing before the Board was to address concerns about the proposed industrial park. Ms. Sandvig was not in agreement with purchasing the property for an industrial park. Ms. Sandvig asked several questions of the Board concerning the ownership of the industrial park. Ms. Sandvig asked that buffers be increased to protect the property owner's privacy.

The members of the Board answered several questions of Ms. Sandvig.

Mr. Bosiger excused Ms. Sandvig and Ms. Robertson and called for Supervisor Concerns.

Mr. Moore stated that when the delinquent tax list was published a Russell Moore's name was in the newspaper, which caused his wife some embarrassment, and he felt that the full name of the individual should be published.

Mr. Moore also stated that he would like to recommend that on the 100 acre site that is designated for recreation the Board consider building the new elementary school. Mr. Moore continued that he felt this would be beneficial because the school could use the recreational facilities and that would eliminate some expense.

Mr. Bosiger stated that he anticipated the I.D.A. returning to the Board with their recommendations and the Board could proceed from that point. Mr. Bosiger also

requested a consensus from the Board that the 100 acres dedicated to the recreational facility be deeded to the County instead of the I.D.A.

After discussion and by consensus of the Board, it was agreed to deed the 100 acres intended for recreation to the County.

Mr. Carwile stated that he had a concern for discussion. He continued that with the grievance that had been stated with the 100 acres that the industrial development authority would give back to the County, he stated that the Board was well aware of other land that was out there with ingress and egress that was out of sight and out of mind. Mr. Carwile continued by asking, "would it not be reasonable to, at least, the sports committee that we have in place, to contact the owner of this land and see what can be worked out for this recreational facility that will be out there where it will not hurt anyone". Mr. Carwile continued that in his opinion this would be a better location.

Mr. Bosiger stated that Mr. Carwile must have information that he was unaware of. He continued that he did not know what piece of property Mr. Carwile was referring to.

Mr. Carwile explained that he was referring to the 93 acres that had been presented to the Board as an industrial park.

Mr. Bosiger restated Mr. Carwile's request as he understood it, "That the Board of Supervisors approach the owner of the 93 acre parcel and see if it could be purchased for a recreational facility".

Mr. Carwile agreed this was his proposal.

A lengthy discussion followed. After discussion it was agreed by consensus of the Board that a decision not be made on this issue at this meeting.

Mr. Carwile then questioned the other members of the Board as to whether the County was dealing with an additional 1.5 million dollars towards the sewer project with the Town.

Mr. Carwile stated that he had understood that the 1.5 million dollars was included in the 2.5 million dollars proposed by the I.D.A. for the industrial park project.

Mr. Bosiger explained that his understanding was that the I.D.A. had plainly stated that the infrastructure mentioned in their proposal was getting the water and sewer to the property. He continued that this did not include sewer capacity.

Discussion followed.

After discussion and by consensus of the Board it was agreed there had been enough discussion on this topic and it was time to move on to other matters.

Mr. Torrence asked why a conditional use permit was needed by Pamplin Volunteer Fire Department to build a new building on their property when there was already a fire station constructed on this property.

Mrs. Ferguson explained that it was required by the County Zoning Ordinance.

Mr. Bosiger next turned the Boards attention to the Administrative Items.

Mr. Bosiger explained that an appointment was necessary to the Central Virginia Alcohol Safety Action Program Policy Board and that Mr. Willie Craft had agreed to serve another term.

Mr. Carwile made a motion seconded by Mr. Moore to reappoint Mr. Willie Craft to another term on the Central Virginia Alcohol Safety Action Program Policy Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an appointment was necessary to the Central Virginia Area Agency on Aging Board of Directors to replace Bobby Mitchell.

After discussion and by consensus of the Board, it was agreed to place this item on the agenda for the September 8, 1998 meeting.

Mr. Bosiger next commented on the Civil Rights in Education Heritage Trail Committee recommendations and Tommy Terry's name was presented for inclusion.

Mr. Carroll was requested to proceed with contacting the suggested citizens to see if they were willing to serve.

Mr. Bosiger explained that according to the Code of Virginia the I.D.A. could not be expanded beyond seven (7) members. Mr. Bosiger suggested that when a position was up for reappointment it should be considered to appoint a female.

Mr. Bosiger then presented several supplemental appropriation requests.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$13,500.00 for Social Services due to funds received for Special Welfare. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate the following:

- \$ 8.00 to 7301-5401;
- 35.95 to 7301-5411;
- 97.53 to 4203-3010;
- 391.00 to 4204-3002;
- 8160.00 to 4208-1003;
- 625.00 to 4208-2001;
- 214.48 from the Law Library Fund.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Town of Appomattox could be covered under the County's present fees paid to Robert E. Lee Soil & Water Conservation Committee for Erosion and Sediment Control Plan approval if the Board of Supervisors made this request.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to allow the Town of Appomattox be covered under the County's agreement with Robert E. Lee Soil & Water Conservation Committee for Soil and Erosion Control plan approval. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Historic Appomattox Railroad Festival for use of the Medical Building parking lot on Sunday for their antique car show.

Mr. Torrence made a motion seconded by Mr. Carwile to allow the use of the Medical Building parking lot on Sunday for the antique car show. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented maintenance agreements for the Sheriff's new telephone system.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to purchase a maintenance agreement with G.T.E. for the Sheriff's Office telephone system in the amount of \$865.20, for one year, and appropriate the same. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board of Supervisors needed to adopt Central Virginia Community Services Performance Contract for the coming year.

Mr. Moore made a motion seconded by Mr. Carter to adopt the Central Virginia Community Services Performance Contract for FY99 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye. (Copy on file in the County Administrator's Office).

Mr. Bosiger next presented a request from Merrill Lynch that they be allowed to offer IRAs to County employees and implement a payroll deduction for this purpose.

After discussion and by consensus of the Board this request was denied.

Mr. Bosiger then presented a line item transfer request from the Sheriff's Office.

Mr. Carter made a motion seconded by Mr. Torrence to approve a line item transfer from 1101-5804 in the amount of \$2780.15 to 3101-1004 in the amount of \$2528.35 and 3101-2001 in the amount of \$251.80; Also, \$562.12 from 1101-5804 to 3100-1002 - \$516.10

and 3100-2001 - \$46.02. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several requests from Andy Carroll to attend the Virginia Institute for Economic Development and the VEDA Conference.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to approve for Andy to attend the Virginia Institute for Economic Development and the VEDA Conference and to pay for these expenses from the convention/education line item under the Board of Supervisors. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Bosiger next explained that an appointment was necessary to the Central Virginia Planning District Commission .

The following people were suggested as possible appointees:

Jessie Hancock;
Frank Robinson;
John Marbury;
Willie Green.

Mrs. Ferguson was instructed to contact these individuals in the order they were presented to see if they would be willing to serve, and report back to the Board at a later date.

Being no further business, Mr. Bosiger explained that an executive session was necessary to discuss a personnel matter.

At 9:00 P.M. on a motion by Mr. Torrence seconded by Mr. Carter to enter into an executive session to discuss personnel matters. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore at 9:32 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion made by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

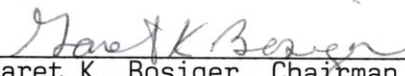
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion at 9:35 P.M. to adjourn until 7:00 P.M. August 10, 1998, seconded by Mr. Carter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A work session of the Appomattox County Board of Supervisors was held on August 10, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Tina Carter – Landfill Supervisor

Mr. Bosiger called the work session to order at 7:00 P.M.

Mr. Bosiger asked if there was any business to come before the Board. Mr. Bosiger continued that he had one item that he wished to discuss with the other members of the Board. Mr. Bosiger stated that the I.D.A. had come up with the idea that maybe a committee could be formed to examine all the alternatives for providing sewer to the industrial park. Mr. Bosiger continued that it had been suggested that the committee consist of a member of the Board of Supervisors, a member of Town Council, a member of the I.D.A. and the Assistant County Administrator. Mr. Bosiger asked if the other members of the Board of Supervisors felt this would be a positive move.

Mr. Moore stated that he felt this was a good idea.

Mr. Carter also stated that he felt this was a positive approach to be sure that all alternatives had been researched.

Mr. Torrence stated he felt this was a good idea.

Mr. Carwile stated he felt this was a good thing to check out all possibilities.

Mr. Bosiger called for a volunteer from the Board of Supervisors to serve on this committee.

Mr. Carter stated he would be willing to serve if the Board would like for him to.

Mr. Moore stated that he would help out in any way that he could.

Mr. Bosiger then asked Mr. Carroll if he would work on establishing this committee.

Mr. Torrence mentioned a meeting that had been scheduled for the committee searching for a site for the Elementary School. Mr. Torrence asked if Mr. Carter would be willing to replace Mr. Paulette on this committee.

Mr. Carter stated that he would be glad to serve on this committee.

Mr. Bosiger next turned the other members of the Board's attention to the packet of information that had been provided on landfill alternatives. Mr. Bosiger explained that Mr. Carroll had updated scenarios provided by Hurt and Proffitt, Inc. and that he would like for Mr. Carroll to review these scenarios with the Board.

Mr. Carroll explained his recalculation of the various waste disposal cost.

The members of the Board of Supervisors asked numerous questions of Mr. Carroll.

After the various options were discussed, Mr. Carroll was instructed to continue to verify the numbers for the various options, and to set up a trip to Waynesboro for the Board to see a bailing operation. By consensus the Board agreed to make a decision on the way to proceed with the landfill at the September 8, 1998 meeting.

Being no further to discuss, the work session was adjourned at 8:46 P.M.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors and the Appomattox County Planning Commission was held on August 17, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Kevin O'Brien
Calvin Tanner
Elizabeth Edwards
Robert Johnson
Jim Seftor
Russell Moore

Absent (Planning Commission):

Al Sears
Claude Allen Moore
Wayne Lewis
Marvin Mitchell

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk – Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the purpose of the hearing was to receive public comments on several zoning petitions and stated the procedure for addressing comments to the Board.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition 98-346 of Pamplin Volunteer Fire Department for a conditional use permit to allow construction of new volunteer fire department. Property is Tax Map No. 111A1(1) 4 and is located on business 460 between Route 1108 and Route 600. Property is zoned B-1.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-347 of W. D. and Patricia L. Myrick to rezone property from R-1 to B-1. Property is Tax Map No. 63 (A) 60 and is located on Route 460 between Route 1045 and Route 26.

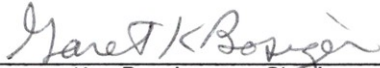
Mr. Bosiger called for comments on this petition.

Mrs. Patricia Myrick came forward and gave her address as Route 4 Box 209, Appomattox, Virginia. Mrs. Myrick stated that she is requesting this rezoning in order to operate her frame shop from this location. Mrs. Myrick explained that this was a low traffic business and that it should have no detrimental effect on this area.

Mr. Carwile stated that he had heard no opposition to this request.

Mr. Bosiger called for other comments.

Hearing none, and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:07 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on August 17, 1998, after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:10 P.M. and explained that Mr. Moore would be in the Planning Commission meeting for a short time and the Board would continue with business in his absence.

Mr. Bosiger then turned the other members of the Boards attention to the first item on the agenda, the Summer Youth Report. Mr. Bosiger continued that he felt this report was self-explanatory. He then asked if anyone had questions concerning this report.

Hearing none, Mr. Bosiger continued with the next item on the agenda, the revised landfill calculations. Mr. Bosiger explained that these calculations were still incomplete

and that they would be reported at the September 1998 meeting. Mr. Bosiger reminded the members of the Board that a visit to the landfill in Waynesboro to view their bailing operation was being scheduled and that Mr. Carroll would be contacting each member to confirm attendance.

Mr. Bosiger next explained that Mayor Spiggle had been contacted concerning an appointment from Town Council to the Sewer Options Committee. Mayor Spiggle had explained that the Town was already in the process of looking into some other alternative and he would like to receive the results from this study prior to making an appointment to this new committee.

Mr. Bosiger then presented supplemental appropriation requests from the landfill and the Sheriff's Department.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate the following
852.00 to 4206-5413;
71.73 to 3102-1002.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several line item transfers for approval.

Mr. Carwile made a motion seconded by Mr. Carter to transfer \$50.50 from 1101-5804 to 3401-3002 to refund fees paid for a building permit. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Joseph U. Skalecki for reimbursement of vet bills paid on several dogs that they had adopted from the Appomattox Pound.

After discussion and by consensus of the Board, Mr. Skalecki's request was denied and Mrs. Ferguson was instructed to inform Mr. Skalecki that the County did not guarantee that animals adopted from the Animal Pound were healthy.

Mr. Bosiger next informed the other members of the Board of the date for the Jefferson's Assembly. Mr. Bosiger suggested that anyone who wished to attend should contact Mrs. Ferguson so that she could respond for the Board.

Mr. Bosiger then asked if any member of the Board had further business.

Mr. Carter asked if the County was preparing for the Year 2000 computer changes.

Mrs. Ferguson explained that the upgrades were scheduled to be installed the fourth week in August 1998.

Mrs. Ferguson reported that the School Board had received the bids for health insurance and that she would be meeting with school staff for the presentation.

Mrs. Ferguson also reported, that the draft proposals for the Courthouse needs had been completed and that she would be bringing this to the Board at a later date for their decision.

Mr. Carwile stated that he had a concern about intensive farming operations coming into the County. Mr. Carwile stated that he wanted to be sure that the zoning ordinance was strong enough to protect citizens. Mr. Carwile asked that the Board have Mr. Lawson, County Attorney, review our ordinance and see if changes needed to be made to protect citizens.

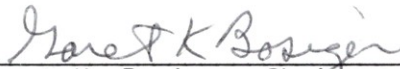
After discussion and by consensus of the Board, Mr. Lawson was requested to review our present ordinance and offer suggestions for ordinance revision.

Mr. Moore rejoined the meeting.

Mr. Carter asked if there was any type of reimbursement from the State for inmate medical expenses.

Mrs. Ferguson explained that the only time the State would reimburse for medical expenses for inmates was if there were a catastrophic medical expense that were incurred.

Being no further business, at 7:45 P.M., Mr. Moore made a motion seconded by Mr. Carter to adjourn until August 28, 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on September 8, 1998 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman - Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter made a motion seconded by Mr. Torrence to approve the minutes of the regular meetings of August 3, 1998 and August 17, 1998; the public hearing of August 17, 1998; and work sessions of August 3, 1998 and August 10, 1998 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called upon Mr. Don Austin, Assistant Resident Engineer, VDOT, to appear before the Board.

Mr. Austin began by explaining that it was necessary for the Board of Supervisors to adopt a resolution of abandonment for sections of Route 695 that had been eliminated due to bridge replacement.

Mr. Torrence made a motion seconded by Mr. Moore to adopt the following resolution:

WHEREAS, Route 695, Project 0695-006-190, C501 from 0.102 miles West of Norfolk Southern Railroad to 0.153 miles East of Norfolk Southern Railroad has been constructed and approved by the State Transportation Board, and

WHEREAS, Construction of Route 695 has caused sections of existing road to follow new location, as shown on the attached sketch titled "Changes in the Secondary System Due to Relocation and Construction on Route 695, Project 0695-006-190, C501" and dated at Richmond, Virginia, August 12, 1998.

BE IT RESOLVED, that the portion of Route 695, Section 1, as shown in red on the aforementioned sketch having a total length of 0.10 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 695, Section 2, as shown in red on the aforementioned sketch having a total length of 0.09 mile be abandoned as a public road pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 695, Section 3, as shown in blue on the aforementioned sketch having a total length of 0.09 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that the portion of Route 695, Section 4, as shown in blue on the aforementioned sketch having a total length of 0.09 mile be hereby added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked if anyone had anything to request of Mr. Austin.

Hearing none, Mr. Bosiger asked if Mr. Austin could provide information concerning a citizen request that portions of Evergreen Avenue, Route 1002 and Route 635 be designated as a truck route, in order to keep truck traffic off of Church Street and avoid the railroad crossing.

Mr. Austin stated that the railroad had wanted to close the crossing and that during the process of researching the railroads' request, VDOT had determined that the routes in question were not adequate to accommodate a truck route. Mr. Austin continued that upgrades would have to be made to portions of these roads and that the funding for this would come from the secondary road budget. Mr. Austin then presented Mrs. Ferguson with a copy of the policy on truck routes.

Mr. Bosiger then referenced a letter to Ms. Lindsay from Mayor Spiggle addressing the continued problems with the railroad crossing and the fact that Norfolk Southern was not making any attempt to make the necessary corrections to this crossing to help alleviate the problem.

Mr. Austin stated that VDOT and the Town are continuing to work with the railroad in order to try to make much needed corrections to the problems that exist at the railroad crossing. Mr. Austin continued that he would keep the Board of Supervisors informed of the progress.

Being nothing further for Mr. Austin, he was thanked and excused.

Mr. Bosiger next invited Mr. Greg Winston to appear before the Board.

Mr. Winston thanked the Board for allowing him to present the Forestry Departments annual report. Mr. Winston explained that there had been a limited number of fires this year with minimal damage. Mr. Winston continued that the local fire departments had provided invaluable service as usual to minimize the damage caused by these fires.

Mr. Winston continued by providing information concerning the number of trees planted over the past year.

Mr. Bosiger thanked Mr. Winston for his report, and excused him.

Mr. Bosiger next called on Mr. Wayne Phelps to appear before the Board.

Mr. Phelps began that he was progressing with his efforts to replace the statue in the Courthouse Square. He explained that a statue the size of the one presently in the Square cost \$11,500.00. Mr. Phelps explained that he was seeking contributions from the private sector to pay for this statue and felt that he would be able to raise these funds without a contribution from the County. Mr. Phelps then presented the members of the Board with

a reprint of a History of Appomattox that was originally published in 1932. Mr. Phelps explained that he was selling these reprints for \$20.00 in an effort to raise funds to purchase the new statue. Mr. Phelps continued that the present statue, with the Board's approval, would be placed either in the Library or the Museum under glass, in order to preserve it. Mr. Phelps then asked for the Board's approval to move ahead with this project.

After discussion and by consensus of the Board, it was agreed for Mr. Phelps to continue with this project.

Mr. Phelps then explained that he was presently working on getting information for repairs needed on the eternal flame, due to a tree limb falling on it, and would get with Mrs. Ferguson once he had obtained the necessary information.

Mr. Bosiger thanked and excused Mr. Phelps and called on Mr. David Nash to appear before the Board.

Mr. Nash explained that he was coming before the Board to request they consider changes to the Subdivision Ordinance in order to require that streets be constructed to State Secondary Road standards in all subdivisions in the County. Mr. Nash continued that he had visited some subdivisions in Campbell County that he felt were unacceptable and did not want this situation to occur in Appomattox County. Mr. Nash explained that he was still in favor of the family exception as was presently in our ordinance.

After discussion, Mr. Bosiger thanked Mr. Nash for his comments.

Mr. Bosiger next called on Ms. Vivian Seay to appear before the Board.

Ms. Seay began by explaining that the first page of her handout was a copy of the original plat that was on record in the Clerk's Office. Ms. Seay then explained that her request was dealing with lots 7 and 12, which the original plats, show going to the river. Ms. Seay continued that a later survey revealed that the lots do not in fact go to the river. Ms. Seay continued that her request was for a special exemption that would allow these two lots to be amended to show what the original plat showed. Ms. Seay continued that in order to correct this problem a small portion of lot 12 would have to be added to lot 7.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to grant a special exception and allow a portion of Lot 12 to be added to Lot 7 in Wolf Creek Estates.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then thanked and excused Ms. Seay.

Mr. Bosiger next called for Supervisor Concerns.

Hearing none, Mr. Bosiger turned the Board's attention to the first administrative item, appointment to the Social Services Board.

Mr. Carter made a motion seconded by Mr. Torrence to reappoint Mr. David O. Austin to the Social Services Board for a term to expire June 30, 2001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Planning Commission had recommended approval of W. D. & Patricia L. Myrick's request to rezone property on Route 460.

Mr. Torrence made a motion seconded by Mr. Moore to approve petition number 98-347 of W. D. and Patricia L. Myrick to rezone property from R-1 to B-1. Property is Tax Map No. 63(A) 60 and is located on Route 460 between Route 1045 and Route 26. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Monte Mays for approval to attend several conferences.

Mr. Carter made a motion seconded by Mr. Moore to approve for Monte Mays to attend the Commissioner's Convention and the VALECO Conference and pay expenses from 1101- 5504. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented supplemental appropriation requests.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$14,932.27 to pay Craddock Cunningham for needs assessment done for the Courts. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to appropriate \$50.00 to 3501-7001 for a donation received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$50,000.00 to 3202-7005 to pay down payment on new fire truck. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$26.87 to 7301 for donation received and \$773.56 from the Law Library Fund for the month of September 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$10,250.00 from the Sheriff's Asset Forfeiture Account. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several line item transfer requests.

Mr. Moore made a motion seconded by Mr. Torrence to transfer \$2,000.00 from 4207-1003 to 4207-5401. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to transfer \$81.75 from 1101-5804 to 3401-3002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request for additional funding from Virginia Cooperative Extension in order to add a Family and Consumer Sciences Extension Agent in the Appomattox Office.

After discussion and by consensus of the Board it was agreed not to fund this position at this time due to budget restraints.

Mr. Bosiger then explained that the decision had been made to continue with Trigon for the County's health care coverage. Mr. Bosiger continued that the premium would increase by \$8.61 per month for the employees coverage. Mr. Bosiger explained that Mrs. Ferguson was requesting the Board of Supervisors continue to pay the employees premium at an additional cost to the County of approximately \$7,749.00. Mr. Bosiger explained that if this was approved it would require a line item transfer to cover the additional expense.

Mr. Carter made a motion seconded by Mr. Torrence to pay the employees premium for health care coverage and transfer \$7,749.00 from operating reserve to each department to pay for this additional premium. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then informed the other members of the Board that Central Virginia Planning District Commission's Strategic Plan needed to be adopted.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to adopt Central Virginia Planning District Commission Strategic Plan as presented with the amendments suggested by Bedford County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Lynchburg Community Action Group, Inc. was willing to handle the Indoor Plumbing Rehabilitation Loan Program for Appomattox County.

Mr. Torrence made a motion seconded by Mr. Moore to allow Lynchburg Community Action Group, Inc. to handle the Indoor Plumbing Rehabilitation Loan Program for Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several credit requests for landfill user fees.

After discussion and by consensus of the Board Mrs. Ferguson was instructed to change the Virginia Farm Real Estate bill from Mr. Tommy O'Brien's name to Mr. Charles Fosters name, and Mr. Charles Elliott was granted a credit of \$60.00 due to his business closing on January 8, 1996.

Mr. Bosiger next turned the Board's attention to the information provided on the Industrial Park bonds and the capital improvements projects for the next three years.

Mr. Bosiger explained that his understanding was that these bonds are tax exempt money that have to be tied to the capital improvement projects, which have been listed, in order to get the tax exempt bonds. Mr. Bosiger stated, in essence instead of borrowing 2.5 million for the industrial park we would use the bonds to pay for capital projects and use the cash that we would have used for these capital improvements projects and put it into the industrial park. Mr. Bosiger continued that the money was the same it was just the bookkeeping that was being done differently.

Mr. Bosiger explained that the capital improvement projects were all legitimate projects they were all projects that were planned by the Board to undertake.

Mr. Carroll explained that he would only like the Board to review the project list to confirm that the list was actually what the Board has approved.

Mr. Carroll explained that a meeting would be scheduled within the next few weeks with bond council, etc. and the Board to finalize all of the details of the bond issuance.

Mr. Bosiger reviewed the present Capital Improvement List that had been approved by the Board when Mr. Paulette was on the Board.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to except the following capital project list intended to be completed in the next three years:

Capital Improvements Projects for the next three years:

School Repairs

\$500,000

The Board has agreed to spend \$250,000 per year for the next two years on school repairs, mainly roof replacement.

High School Roof

\$140,000

The Board has agreed to this expenditure and work has already begun on this project.

School buses

\$360,000

The school usually replaces approximately 3 school buses per year. The estimated cost per bus is \$40,000.

Underground Storage Tank \$ 11,500

The sheriff's department needs to replace an underground storage tank and replace it with an above ground tank.

Middle School payment \$483,956

This is the county's final payment towards the Middle School Renovation. This is a cash payment towards construction.

Pamplin Volunteer Fire Department \$120,000

The Board has agreed to pay \$40,000 per year for the next 3 years to help build a new fire house.

Appomattox County Rescue Squad \$ 40,000

The Board has agreed to pay \$40,000 next year toward the construction of the Rescue Squad's new building.

Sheriff's Vehicles \$276,000

The Board has agreed to purchase 12 cars for the sheriff's department over the next 3 years at \$ 23,000 per vehicle.

Appomattox Volunteer Fire Department \$ 50,000

The Board has agreed to pay this amount as a down payment on a new fire truck.

Site Improvement \$100,000

The Board has approved this amount to assist in the development of the industrial park.

Total \$2,081,456

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented revised cost estimates on the various options for handling the County's waste stream. The baling operation that was viewed in Waynesboro was discussed in great detail.

After a lengthy discussion of all the alternatives involved with solid waste disposal, Mr. Carwile made a motion seconded by Mr. Torrence to purchase a baler and amend the permit for cell "T" to allow bales to be placed in this area, and continue with permitting and the opening of a new cell when necessary. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that an executive session was needed in order to discuss a legal matter.

At 9:23 P.M. on a motion by Mr. Moore seconded by Mr. Torrence it was agreed to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore at 9:35 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion made by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

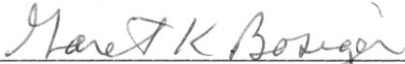
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard, discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Carter to adjourn at 9:36 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on September 21, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Calvin Tanner
Wayne Lewis
Claude Allen Moore
Kevin O'Brien

Present (Board of Zoning Appeals):

Matt Lair
James Cheatham
Cliff Harvey
Wayne Phelps

Absent (Planning Commission):

Jim Seftor
Al Sears
Marvin Mitchell
Robert Johnson
Elizabeth Edwards

Absent (Board of Zoning Appeals):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk – Planning Commission

Mr. Bosiger called the public hearing to order at 7:04 P.M., stated the purpose of the public hearing was to receive comments on several zoning petitions and stated the procedure for addressing comments. Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 98-348 of Everette and Sherry Shober to rezone property from A-1 to B-1 with conditional use for automobile restoration and sales. Property is part of Tax Map Parcel #90-7-C and is located on Route 460 between Route 630 and Route 633.

Mr. Bosiger called for comments on this petition.

Mr. & Mrs. Shober came forward and stated their address as New Canton in Cumberland County. Mr. Shober continued that he had taught school in Amherst County for twelve (12) years and that his hobby was restoring automobiles. Mr. Shober continued that what they were proposing would contribute to the community not detract from the surroundings and that his wish was to contribute something of value to the County.

Mr. Shober continued that the building they proposed would be attractive and that any restoration would take place inside this building. He continued that any equipment would be approved and used in the proper manner. Mr. Shober asked the Board to grant his request.

Mr. Bosiger called for other comments on this petition.

Mr. Melvin Moore came forward and stated that he was president of OPM Property Limited and that they owned adjoining property to Mr. Shober. Mr. Moore continued that he was not opposed to this rezoning as long as there would be no junk cars used for parts stored on this property and as long as the water supply in the area was not contaminated.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-349 of Piedmont Timber Company to rezone property from A-1 to B-1. Property is Tax Map Parcel #72-A-5 and part of #60-A-53 and is located on Route 460 between Route 667 and Route 800.

Mr. Bosiger called for comments on this petition.

Mr. Jim Burruss came forward and stated that he was one of the partners in Piedmont Timber Company, which was made up of himself and his three sisters and gave his address as 301 Oak Street Lane, Lynchburg, Virginia. Mr. Burruss continued that he and his sisters had been left this property and that after a number of years they have decided this is a good time to sell part of this property. Mr. Burruss continued that it was on Route 460 and that there were other businesses in this area and that this would be a good place to market as business property. Mr. Burruss stated that people interested in purchasing this property for business purposes had approached him numerous times over the years and he felt the time was right to sell. Mr. Burruss requested the Board grant his request.

Mr. Bosiger called for other comments on this petition.

Mr. Branford Lucado came forward and stated his address as Route 2, Concord, Virginia. Mr. Lucado continued that he had no objections to the property located on the north side of Route 460, his concern was with the property located on the south side of Route 460. Mr. Lucado stated that there were a number of residences in this area and that they did not want businesses stuck up in front of their homes. Mr. Lucado stated in closing that he did not feel that this area was an appropriate area for business development.

Mr. Sylvester Watkins spoke next and stated that he lived below Mr. Lucado on Route 609 and that he agreed with Mr. Lucado and was opposed to rezoning the property on the south side of Route 460.

Mrs. Nancy Almond spoke next and stated that she agreed with what the others had said.

Mr. Frank Metz came forward and stated that he wanted to know if this property would be developed up as far as Route 608? Mr. Metz continued that he already had to contend with one business and he did not want to contend with any others.

Mr. Bosiger explained that Mr. Metz could attend the Planning Commission meeting and have his questions answered after the public hearing.

Mr. Steve Conner came forward and gave his address as Second Street, Appomattox, Virginia. Mr. Conner stated that the property to be rezoned was across from property that was already zoned B-1 and that when certain businesses wished to locate in B-1 they would have to acquire a conditional use permit prior to locating. Mr. Conner stated that if the Board were interested in developing the County this would be a good start in the right direction.

Mr. Burruss stated that there were no plans to change anything on Route 608.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-350 of Fred Jones for a conditional use permit to allow off premise sign to be located on Parcel Tax Map #62-5-C located on Route 460 between Route 646 and Route 732. Property is zoned B-1

Mr. Bosiger called for comments on this petition.

Mr. Fred Jones came forward and gave his address as P. O. Box 818, Appomattox, Virginia. Mr. Jones continued that he wanted to put up signs on Route 460 advertising his business.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger called on Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-351 of Fred Jones to rezone property from A-1 to B-1 with conditional use for off premise signs. Property is Tax Map Parcel #62-A-10A and is located on Route 460 between Route 703 and Route 674.

Mr. Bosiger called for comments on this petition.

Mr. Bob Carter came forward and stated that he lived in Appomattox. Mr. Carter continued that he was speaking on behalf of Mr. Sonny Martin who owned property adjoining Mr. Jones' property on the north side of Route 460. Mr. Carter stated that Mr.

Martin had no objections to Mr. Jones rezoning property on the south side of Route 460 but he was opposed to rezoning the property on the north side of Route 460. Mr. Carter asked the Board to deny this request and maintain the integrity of the community.

Mr. Bosiger called for other comments.

Mrs. Vicky Reagan came forward and stated her address as Route 1, Spout Spring, Virginia. Mrs. Reagan explained that she was opposed to the rezoning of the property on the north side of Route 460 because this property was residential in nature. Mrs. Reagan read sections from the Appomattox County Zoning Ordinance that she felt supported denial of Mr. Jones' request for rezoning. Mrs. Reagan stated in closing that she was not opposed to the rezoning of the property on the south side of Route 460 for business in order for Mr. Jones to install his signs.

Miss Mary Dickey came forward and stated that she was the daughter of Mrs. Vicky Reagan and that she lived on property that joined Mr. Jones' property. Miss Dickey continued that she was opposed to the rezoning of the property in front of her home because she wanted to see this area continue to be a residential area. She asked the Board to consider the stress factor involved in having a business in your front yard.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

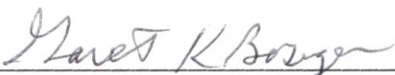
Mr. Caldwell read petition number 98-352 of Frances Chambers for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to side yard setback of dwelling. Property is Tax Map #20-3-7D and is located on Route 616 between Route 684 and Route 615.

Mr. Bosiger called for comments on this petition.

Ms. Frances Chambers came forward and gave her address as Route 3 Box 165, Appomattox, Virginia. Mrs. Chambers explained that she has owned this property since 1974 and that she wishes to put a mobile home on the property. Mrs. Chambers asked the Board to grant her request for variance.

Mr. Bosiger called for other comments on this petition.

Hearing none and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:35 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on September 21, 1998 after the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Dennis W. Torrence – Falling River District
Russell H. Moore – Piney Mountain District (was late due to attending the Planning Commission meeting)

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:35 P.M.

Mr. Bosiger called on Mrs. Shirley Eye, with the Actions Committee to appear before the Board.

Mrs. Eye explained that she had been working on the sale of the property off of Route 604 that had been donated to the Actions Committee for the Sports Complex at the High School. Mrs. Eye continued that a title search was being done on this property at no cost and that Mike Torrence had agreed to auction the property at no cost to the County except for the advertising. Mrs. Eye stated that she also had someone to cruise the timber on the property. Mrs. Eye continued that the total cost for these services would be approximately \$2300.00 and that everyone was ready to move ahead with the sale of this property.

Mrs. Eye stated that October 28, 1998 at 5:00 P.M. would be the date scheduled for the sale of the property.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to allow Mrs. Shirley Eye to proceed with the sale of property located on Route 604 and to pay advertising & other cost of this sale at a cost of approximately \$2,300.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, abstained.

Mr. Bosiger next turned the members of the Board's attention to the Administrative Items.

The first item for consideration was a request for a musical or entertainment festival permit for Stonewall Vineyards – Halloween Jazz.

Mr. Torrence made a motion seconded by Mr. Carwile to approve a Musical or Entertainment Festival Permit for Stonewall Vineyards – Halloween Jazz and to waive the bond requirement. Vote: Mr. Bosiger, aye ; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from the Virginia Chamber of Commerce for a donation to help advertise and promote the two constitutional amendments that are on the ballot in November dealing with economic development.

After discussion and by consensus of the Board, it was decided that the Board did not have enough information on the impact of these amendments to support them with a contribution to the Virginia Chamber of Commerce.

Mr. Bosiger then presented a request from the Registrar for permission to attend the Registrar's Association Annual Conference.

Mr. Carter made a motion seconded by Mr. Torrence to approve for the Registrar to attend her annual conference and pay expenses from 1101- 5504. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several supplemental appropriation requests.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$5,190.00 to 1101-3002 to replace check lost by Mildred Jamerson. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$23.40 to 7301-5411 to pay for reimbursement received for a book that was destroyed. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

There was a lengthy discussion concerning a supplemental appropriation request from Mrs. Carter at the landfill for repairs to the compactor.

After discussion this matter was tabled until the November meeting.

Mr. Bosiger then presented the appointment needed for the Central Virginia Area Agency on Aging Board of Directors, and requested that this item be held until Mr. Moore can join the meeting.

Mr. Bosiger next called on Mr. Hal Craddock; Craddock Cunningham Architectural Partners to appear before the Board to present proposals for meeting the needs of the Courts.

Mr. Craddock presented two options to solve the current problems that have been identified by the Judges' and other Court personnel. One option would be to add on to the present Circuit Court Clerk's Office and Courthouse and renovate the present space

and the Second option would be to construct a new Courthouse across the street in the Courtland Field.

After questions and answers and a lengthy discussion, a work session was scheduled for October 6, 1998 at 7:30 P.M.

Mr. Bosiger next read a letter from Ms. Lindsay, VDOT Resident Engineer to Mayor Spiggle responding to Mr. Spiggle's concern with the railroad crossing at the lower end of Main Street.

After discussion and by consensus of the Board, it was agreed to support the Town of Appomattox in whatever manner was necessary to help them get the problem with the railroad crossing at the lower end of Main Street corrected.

Mr. Bosiger then explained that there were several recommendations that had come from various sources that needed to be discussed to see if they were matters the Board of Supervisors wished to refer to the Planning Commission for recommendations.

Mr. Bosiger explained that the first item was an issue that he had presented from concerns he had received from citizens in his district. Mr. Bosiger continued that the citizens in his district were concerned with the number of mobile homes that could be placed on one parcel of property in A-1. Mr. Bosiger stated that some of our neighbors, such as Charlotte County, had serious problems with the manner in which mobile homes were being placed on parcels of property in that County. Mr. Bosiger asked if the other members of the Board had comments concerning this issue.

Mr. Carter explained that he had ridden over in the area near Central Baptist Church and that he was amazed at the number and quality of mobile homes that he had seen. He felt that this was a problem that needed to be looked into.

Mr. Torrence stated that he remembered similar situations that had come about since he had been on the Board and he felt that there needed to be some definite controls on this type development. He closed by stating that he would like to refer this to the Planning Commission for their recommendation.

Mr. Carwile commented that he was not in total disagreement with the comments that had been made but at the same time he felt that it was upon the Board not to do anything that would harness people who could not afford to live in a one hundred thousand dollar home. Mr. Carwile continued that it appeared to him that mobile homes were looked down upon and that there were a lot of people who could not afford to live in anything other than a mobile home. He stated that he had no problem with the Planning Commission looking at this issue but he did not want to be a part of anything that would harness the people that could not afford a home. Mr. Carwile stated that he felt that zoning was in place and that the Supervisors were comfortable with it as it was.

Mr. Torrence stated that he felt limiting the number of mobile homes on one lot would help with this problem.

Mr. Carwile stated that he still had a number of concerns with this request.

Mr. Bosiger stated that he was not against affordable housing, that he had lived in a mobile home himself, and he was not opposed to mobile homes, but he felt it was the Board's responsibility to consider all the citizens and to be concerned with their property values being effected.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter that the Planning Commission be instructed to review mobile home lot size requirements in A-1. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next reminded the Board of the request to have Mr. Lawson look into possible ordinance changes to protect citizens against Intensive Farming Operations. Mr. Bosiger continued that Mr. Lawson had done this and was prepared to make recommendations to the Planning Commission for ordinance changes if the Board so wished. Mr. Bosiger continued that he felt a Moratorium might be in order until the Planning Commission could have an opportunity to review the suggested changes.

Mr. Torrence made a motion seconded by Mr. Carwile to have the Planning Commission review possible changes in the Zoning Ordinance in regards to Intensive Farming Operations and to place a Moratorium on Intensive Farming Operations coming into the County until the Planning Commission has the opportunity to study this matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next reminded the Board of a request from Mr. David Nash at a prior meeting that all streets in any Subdivision be brought up to State secondary road standards. Mr. Bosiger asked if the other members of the Board wished for the Planning Commission to review this matter also.

Mr. Carter made a motion seconded by Mr. Torrence to have the Planning Commission review the request of Mr. David Nash, that all streets in any subdivision, regardless of lot size, be brought up to State Secondary Road Standards, and bring their recommendation by to the Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger explained that an executive session was necessary in order to discuss a personnel matter.

At 9:22 P.M. on a motion by Mr. Torrence seconded by Mr. Carter it was agreed to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence at 9:32 P.M. seconded by Mr. Carter it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

On a motion made by Mr. Torrence seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there were any action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Carwile to offer Ms. Alice Rockefeller full time employment at the landfill at \$5.75 per hour. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger asked if anyone had anything they would like to bring up?

Mr. Carwile stated that Mrs. Hamlett, Clerk to General District Court, concerning a request for a telephone system, had approached him.

Mrs. Ferguson was asked to contact Mrs. Hamlett and obtain all the information pertaining to this request.

Mr. Moore rejoined the meeting.

Mr. Bosiger asked Mr. Moore if the Planning Commission had recommended the petition for Everette & Sherry Shoher for approval?

Mr. Moore confirmed that this petition had been recommended for approval.

Mr. Moore then made a motion seconded by Mr. Torrence to approved petition 98-348 of Everette and Sherry Shoher to rezone property from A-1 to B-1 with conditional use for automobile restoration and sales. Property is part of Tax Map Parcel #90-7-C and is

located on Route 460 between Route 630 and Route 633. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained to Mr. Moore that the Board had waited for him prior to making an appointment to the Central Virginia Area Agency on Aging Board of Directors. Mr. Bosiger continued by asking if Mr. Moore had comments regarding this appointment.

Mr. Moore explained that he had been told that Mr. Bobby Mitchell could be reappointed to this Board and asked if Mrs. Ferguson had information on this.

Mrs. Ferguson explained that she had spoken with Jo Nelson and that Ms. Nelson had stated that Mr. Mitchell could not be reappointed to this Board without a by-law change and that she knew of no proposed changes to the by-laws.

Mr. Carter then suggested the Board of Supervisors appoint Mr. Lynn Doss to serve on this Board.

Mr. Carter made a motion seconded by Mr. Torrence to appoint Mr. Lynn Doss to the Central Virginia Area Agency on Aging Board of Directors for a term to expire September 30, 2001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

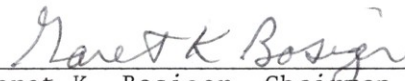
Mr. Bosiger called for any other business from Board members.

Mr. Carwile stated that he had a lot of questions pertaining to the bond issuance.

Discussion followed.

Mr. Bosiger called for other business.

Hearing none, Mr. Carter made a motion at 9:58 P.M. seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint meeting of the Appomattox County Board of Supervisors, the Appomattox County School Board, and the Appomattox Town Council was held on October 5, 1998 at 6:30 P.M., in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Falling River District
 Samuel E. Carter (late) – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Present (School Board):

Lannis Selz
 Bobby Mitchell

Absent (School Board):

Kenneth McClenny
 Martha Pankey
 Mrs. Mills

Absent (Town Council):

Ronnie Spiggle, Mayor
 R. L. Bass, Vice Mayor
 Joyce Bennett
 Steve Lawson
 Marvin Mitchell
 Jimmy Mayberry
 Rick Pack

Also Present:

Aileen T. Ferguson
 Andy Carroll
 Thomas W. Lawson
 Dr. Walter Krug
 Joyce Jamerson
 Billy Perrow

Mr. Bosiger called the meeting to order at 6:30 P.M. and welcomed the members of the School Board and School administration. Mr. Bosiger then stated that his understanding of the purpose of the meeting was to hear a proposal from the School Board concerning use of the Trigon Healthcare Stock Proceeds that were set aside for employee benefits. Mr. Bosiger then asked Mr. Selz if he would like to present the School Boards proposal?

Mr. Selz stated that given the guidelines for the use of the Trigon stock proceeds the School Board had come up with a plan to use these funds to benefit the school employees

as much as possible. Mr. Selz continued that the School Board had presented a request for an \$85,000.00 appropriation from the Trigon Employee Fund in order to defray the cost increase in the Trigon Healthcare Premium. Mr. Selz continued that the contract year began October 1, 1998 and that with the increase in premium the school employees would be paying \$29.11 for an employee only plan. Mr. Selz stated that the School Board is proposing to pick-up the \$29.11 per month per employee from the appropriation from the Trigon Employee Stock Proceeds Fund.

Mr. Carter joined the meeting.

Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$85,000.00 from the Trigon Employee Healthcare Funds to the School Board to pay \$29.11 per month, per employee, towards their healthcare premiums. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carwile to appropriate \$8.61 per County employee, per month, to the general fund to go towards employee healthcare premiums. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business with the School Board, Mr. Moore made a motion seconded by Mr. Torrence to adjourn at 6:53 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on October 5, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:04 P.M. and called on Mr. Torrence to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Torrence made a motion seconded by Mr. Carter to approve the minutes of the regular meetings of September 8, 1998 and September 21, 1998; and a joint public hearing of September 21, 1998 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called on Mr. Don Austin, Assistant Resident Engineer, VDOT, to appear before the Board.

Mr. Austin began by explaining the Board needed to set a date for a work session on the Six-Year Plan.

After discussion, and by consensus of the Board, October 26, 1998 at 6:00 P.M. at the VDOT Residency Office, was scheduled as the work session on the Six-Year Plan.

Mr. Bosiger explained that the members of the Board had received a copy of a letter from Mr. Tom Pittman complaining about the railroad crossing on Main Street and asked if the Board wished to adopt a resolution requesting the railroad move the tracks closer to the depot, in order for VDOT to fix the access ramps.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, the County of Appomattox is concerned for the safety of each of its citizens and the many people who drive across the Church Street crossing of the Norfolk and Southern Railroad at Church Street in the Town of Appomattox; and

WHEREAS, the message of traffic safety must be extended to all people and make them aware of all hazards; and

WHEREAS, the number of tractor trailers who become stuck on the Church Street crossing and are unable to extricate themselves have been numerous; and

WHEREAS, we feel this problem can be eliminated by moving the existing tracks closer to main street; and

NOW, THEREFORE BE IT RESOLVED THAT, the Appomattox County Board of Supervisors requests that the Virginia Department of Transportation and Norfolk Southern continue to pursue this matter until this safety hazard is corrected.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Austin asked if any Supervisor had problems for him to look into.

Mr. Torrence stated that Route 1104 in Pamplin, was a dead end street and there was no place to turn around once you reached the end of the street.

Mr. Austin explained that this would have to be looked at when working on the Six-Year Plan.

Mr. Carter asked again about Route 656.

Mr. Austin stated that again, this was a matter that would have to be addressed in the Six-Year Plan.

Being no further business for Mr. Austin, Mr. Austin thanked the Board for the contribution towards Concord Rescue Squads new crash truck and asked the Board for their continued support.

Mr. Bosiger thanked and excused Mr. Austin.

Mr. Bosiger next explained that a citizen representative from Falling River District had asked to address the Board with concerns about mobile homes in the Falling River District.

Mrs. Julie Austin came forward and stated that she was representing the citizens that were sitting in the back of the Courtroom. Mrs. Austin continued that citizens in the Falling River District were concerned with the number, quality, and installation of mobile homes in their district. Mrs. Austin continued that many of the mobile homes were not well maintained and that there were multiple units being installed on one lot. Mrs. Austin stated that other concerns were with the age of mobile homes being placed in their district, the number of mobile homes being placed in their District, the lot size required for each mobile home and the fact that tire chips were being stockpiled in their district. Mrs. Austin then stated that their request was that a moratorium be placed on mobile homes in Falling River District until the Planning Commission could meet and come up with a viable solution to this increasing problem. Mrs. Austin continued that they wished to put a halt to wells, septic systems and tire chips stockpiled until the Planning Commission could make a recommendation. In closing Mrs. Austin urged the Board to act immediately.

A lengthy discussion followed with Board members expressing their concerns and asking questions of Mrs. Austin.

Mr. Bosiger asked Mr. Lawson, County Attorney, if he would like to comment on this matter.

Mr. Lawson began by stating that he felt they were talking about Mr. Carwile's property and that this could constitute a conflict of interest if Mr. Carwile participated in the

discussion. Mr. Lawson continued that if Mr. Carwile owns or has any interest in the property in question a conflict of interest is definite.

Mr. Carwile asked Mr. Lawson to define interest.

Mr. Lawson stated that if Mr. Carwile had a financial interest in the property either through his business or his immediate family's business then that would constitute an interest.

Mr. Carwile then asked that if he did some work on the property for others would that constitute an interest?

Mr. Lawson stated that Mr. Carwile knew whether or not he had an interest in the property and then asked Mr. Carwile if he owned the property.

Mr. Carwile stated that he did not own the property.

Mrs. Austin then stated that she didn't know whether the property was in Mr. Carwile's name or his sons, but that she had attended the auction at which the land was sold and Mr. Carwile had personally bid on the land and had purchased the land.

Mr. Lawson again asked Mr. Carwile if he had an interest in the property.

Mr. Carwile stated that he could assure Mr. Lawson that he had no interest in the property but that he would not vote or participate in the discussion any further.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter, that a 60 Day Moratorium be placed on all mobile homes in Southside District and that no one be allowed to proceed with blocking, anchoring, installing wells or septic systems to mobile homes until the Planning Commission returns to the Board with a recommendation.

Discussion continued!

Mr. Moore questioned if it would be legal to tell people who had already obtained their permits that they could not continue with installing their mobile homes.

Mr. Moore addressed Mr. Lawson and asked if he had a problem with this.

Mr. Lawson said "No".

Mr. Moore then asked Mr. Lawson for clarification that he did not see a problem with keeping people from moving into their homes or receiving inspections even after they had gotten permits.

Mr. Lawson stated that it was really up to the Board to determine what they wanted to do but he did not see a problem with this course of action.

Being no further discussion, Mr. Bosiger called for a vote.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, abstained, Mr. Moore, aye; Mr. Torrence, aye.

Mrs. Austin thanked the Board for their prompt action.

Mr. Bosiger thanked and excused Mrs. Austin and called on Mr. Preston Wilson to appear before the Board.

Mr. Wilson began by thanking the Board for the opportunity to meet with them. Mr. Wilson continued that his purpose for coming before the Board was to request funding for development of the Natural Resource Center at Holiday Lake 4-H Center, Inc. Mr. Wilson reported on the number of programs that were provided by the center and the number of people that have been served by the center in the last year. Mr. Wilson then explained that he would be making similar presentations to surrounding Counties requesting funding from them for this project.

Mr. Wilson then answered questions of the members of the Board.

After discussion, and by consensus of the Board, it was agreed to hold this decision until budget discussions began for FY2000.

Mr. Bosiger thanked and excused Mr. Wilson.

Mr. Bosiger then called upon Mr. Jim Cook to appear before the Board.

Mr. Cook came forward and stated that his reason for coming before the Board was to present them with their annual share of the proceeds from timber sales in the Appomattox Buckingham State Forest. Mr. Cook gave a brief report on the State Forest activities for the past year.

Mr. Bosiger thanked and excused Mr. Cook.

Mr. Bosiger next asked if there were representatives present from the ACHS Cheerleaders?

Christina O'Brien, Amber Canterbury and Randi Manis came forward and explained to the Board of Supervisors that they had competed in cheerleading camp and had won the right to travel to London and Participate in a parade during December. They continued that the total estimated expenses were \$15,000.00. They provided handouts for the Board members to review that provided information on their scheduled trip. They then asked the Board for a contribution to help with their expenses.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to donate \$2,000.00 to the ACHS Cheerleaders to help with their trips to London and Philadelphia,

and appropriate the same. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked the girls for the information and expressed the Board's pride in the girl's accomplishments.

Mr. Bosiger then called for Supervisor Concerns.

Hearing none, Mr. Bosiger moved to the next item on the agenda which was a report from Dr. Krug on the repairs to a portion of the High School roof and the School Boards desire to proceed with the next phase in replacing the High School roof system.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to allow the School Board to proceed with the second phase of High School roof replacement. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mr. Stan Goldsmith, Program Manager, Region 2000, had requested a resolution supporting the proposed constitutional amendments #3 & #4.

Discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

WHEREAS, Section 2, Article VII of the Constitution of the Commonwealth of Virginia may be amended by Question #3 on the November 1998 ballot, and

WHEREAS, Section 10 of Article VII of the constitution of the Commonwealth of Virginia may be amended by Question #4 on the November 1998 ballot, and

WHEREAS, the passage of these two amendments make it possible for participating localities to enter into agreements to develop joint regional industrial parks by sharing the costs and the revenues related for establishing a joint park, and

WHEREAS, the passage of these amendments give's the participating localities the option to work together on a voluntary basis, and

WHEREAS, the passage of these two amendments is intended for the primary purpose of creating higher paying jobs by attracting larger industries to the region , and

WHEREAS, counties now do not have the same authority to act as do cities and towns thereby creating significant delays in attracting new prospects to a joint site, and

WHEREAS, passage of the amendments will require that county Boards of Supervisors and City and Town Councils are still accountable to their voters, and

WHEREAS, agreements formed between jurisdictions will only include the joint industrial site and no other land areas within the jurisdictions, and

WHEREAS, a referendum would still be required by the participating counties to participate in a joint industrial park project and any and all other types of debt, and

WHEREAS, the general assembly would develop implementing legislation for the administration of the joint site, and

WHEREAS, the administration of the joint site would be the responsibility of elected officials of those jurisdictions who chose to participate, and

WHEREAS, the tax rate on the businesses within the joint site would be determined by the local elected officials chosen to administer the site, which taxes would be used to repay any debt created to develop the joint industrial park, and

WHEREAS, any debt incurred to develop the joint industrial park will not be assigned to the individual participating localities and will not be counted against their local debt ceiling, nor create any new taxes on the general public, and

WHEREAS, the passage of these two amendments would only allow participating local governments to work together at their option., for the benefit of citizen's of the entire region, and

WHEREAS, other neighboring states, who compete with Virginia for jobs are not prevented by constitutional restrictions from entering into these type agreements, thereby being more responsive and capable of joint agreements of this type, now

THEREFORE be it resolved, that the Board of Supervisors, of the County of Appomattox herewith support the passage of Amendment #3 and #4 and encourage the voters of this jurisdiction to vote "YES" for both of these amendments in November.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then informed the other members of the Board that there were to zoning petitions that the Planning Commission had recommended for approval.

Mr. Carwile made a motion seconded by Mr. Torrence to approve petition number 98-350 of Fred Jones for a Conditional Use Permit to allow off premise sign to be located on Parcel Tax Map #62-5-C located on Route 460 between Route 646 and Route 732. Property is zoned B-1. Also, petition number 98-351 of Fred Jones to rezone property from A-1 to B-1 with Conditional Use for off premise signs. Property is Tax Map Parcel #62-A-10A and is located on Route 460 between Route 703 and Route 674. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Mr. Caldwell to attend his annual building officials conference.

Mr. Moore made a motion seconded by Mr. Torrence to allow Mr. Caldwell to attend his annual building officials conference and pay expenses from 1101-5504. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several supplemental appropriation requests.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate the following:

\$ 12.95 to 7301-5411;

33.33 to 7301-5416;

79.18 to 3102-1002;

501.47 from the Law Library Fund;

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$18,000.00 from the High School Athletic Complex Fund. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a bid from Brigg's Tree Service to thin, remove dead wood, top and clean up the mess for 13 trees in the Courthouse Square.

Mr. Moore made a motion seconded by Mr. Carwile to accept the bid for the tree work in the Courthouse Square from Brigg's Tree Service and appropriate \$1200.00 to pay for this work. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that an executive session was necessary to discuss a legal matter.

At 8:38 P.M. on a motion by Mr. Carter seconded by Mr. Moore it was agreed to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence at 9:02 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion made by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

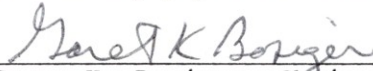
WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there was no further business.

At 9:03 P.M. Mr. Carter made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox County Industrial Development Authority was held on October 6, 1998 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Industrial Development Authority):

Floyd Williams
W. S. Slagle
Berk Drinkard
Walter Hancock
Leon Turner
Richard Robinson

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Bob Carter - Council for the I.D.A.
Bill Carter - Bond Underwriter

Dan Siegel -Bond Council

Mr. Bosiger called the meeting to order and welcomed the member of the I.D.A., Bill Carter and Dan Siegel. Mr. Bosiger then explained how the bonds were structured for the other members of the Board.

Mr. Bosiger then called upon Mr. Bill Carter to present the debt service schedule to the Board and answer questions related to the bond issuance.

Mr. Bill Carter came forward and presented debt service schedules for the Board and the I.D.A. to review as he gave his presentation. Mr. Carter explained that the interest rate on the issuance was 4.969% over a 15-year term. Mr. Carter then explained that the interest payment for the first 5 years would be \$122,000.00 per year.

Mr. Carter answered questions of the members of the Board and the I.D.A.

Mr. Carwile then asked the other members of the Board if the Board should not consider paying debt service and interest for the first five years instead of paying interest only. Mr. Carwile continued that he felt this would be in the best interest of the County.

Discussion followed.

After discussion, the other members of the Board felt that they should stick with the bond as structured.

Mr. Bosiger then called on Mr. Dan Siegel to explain the resolutions that the Board and the I.D.A. needed to adopt.

Mr. Siegel answered questions of the members of the Board and the I.D.A.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the Board of Supervisors of Appomattox County, Virginia (**the "County"**) has requested the Industrial Development Authority of Appomattox County, Virginia (**the "Authority"**) (a) to issue, offer and sell its capital improvements lease revenue bonds in an amount not to exceed \$2,500,000 (**the "Bonds"**) to finance the acquisition, construction, renovation, repair and equipping of certain capital projects including, but not limited to, (i) improvements, repairs and renovations to the County's high school, middle school, elementary school and primary school, (ii) acquisition of school buses, (iii) improvements to the Pamplin Volunteer Fire Department, the County Rescue Squad and County Sheriff's Department, (iv) acquisition of vehicles for the County's Sheriff's Department and a fire truck, (v) real estate for County recreational purposes, and (vi) site improvements and infrastructure costs related to the development of a County industrial park (**the "Projects"**) and (b) to lease the Projects to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the "Act"**), and the Authority **has** agreed to do so; and

WHEREAS, the Authority proposes to (a) use the proceeds of the Bonds to pay the costs incurred and to be incurred in connection with the Projects, including costs of issuing the Bonds, (b) lease the Projects to the County pursuant to the Financing Lease, defined herein, and (c) secure the Bonds by an assignment of its rights under the Financing Lease, defined herein, (except the right to receive indemnification, to receive notices, to give consents and to receive administrative expenses) to Crestar Bank, as trustee (**the "Trustee"**) under the Indenture of Trust, defined herein, under which the Bonds are to be issued; and

WHEREAS, the County and the Authority have been working with Ferris, Baker Watts, Incorporated (**the "Underwriter"**) in relation to the structure and plans for financing the Projects and the law firm of Sands, Anderson, Marks & Miller, a Professional Corporation (**"Bond Counsel"**) and desire to complete the financing in a timely manner to assure the funding of the Projects for the County; and

WHEREAS, there have been presented to this meeting drafts of the following documents (**the "Documents"**) which the Authority proposes to execute based on the request of the County to carry out the transactions described above, copies of which shall be filed with the records of the Authority:

- (a) a Ground Lease, dated as of October 1, 1998, between the Authority and the County conveying to the Authority a leasehold interest in certain real estate and improvements (**the "Ground Lease"**).
- (b) a Financing Lease, dated as of October 1, 1998, between the Authority and the County conveying to the County a leasehold interest in the Projects (**the "Financing Lease"**);
- (c) an Indenture of Trust, dated as of October 1, 1998, between the Authority and the Trustee, pursuant to which the Bonds are to be issued, including the form of the Bonds, which is to be acknowledged and consented to by the County (**the "Indenture"**);
- (d) an Assignment of Rents and Leases, dated as of October 1, 1998, between the Authority and the Trustee, assigning to the Trustee certain of the Authority's rights under the Financing Lease, which is to be acknowledged and consented to by the County (**the "Assignment Agreement"**);
- (e) a Bond Purchase Agreement, dated October 6, 1998, among the Authority, the County and Ferris, Baker Watts, Incorporated as Underwriter (**the "Underwriter"**) for the purchase of the Bonds (**the "Bond Purchase Agreement"**); and
- (f) a Preliminary Official Statement for the offering and sale of the

Bonds, dated September 29, 1998 (the "Preliminary Official Statement") and a final Official Statement (the "Final Official Statement") for the same (collectively, the Preliminary Official Statement and the Final Official Statement shall be hereinafter referred to as the "Official Statement").

**BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF APPOMATTOX COUNTY, VIRGINIA:**

1. The Authority finds and determines that the undertaking of the acquisition, construction and installation of the Projects for the County will be consistent with the purposes of the Act.
2. The Authority agrees to the recommendation of the County that Sands, Anderson, Marks & Miller, a Professional Corporation, Richmond, Virginia, be appointed as Bond Counsel and Special Counsel to the Authority, as well as counsel to the Underwriter and hereby appoints such firm to supervise the proceedings and approve the issuance of the Bonds and consents to such dual representation.
3. The Authority agrees to the recommendation of the County that Ferris, Baker Watts, Incorporated, Richmond, Virginia, be selected and designated as Underwriter for the Bonds.
4. All costs and expenses in connection with the undertaking of the acquisition, construction, renovation, repair and equipping of the Projects and the issuance of the Bonds, including the Authority's expenses and the fees, the expenses and fees of the County, the Trustee's expenses, and the fees and expenses of Bond Counsel and Special Counsel for the Authority, for the sale of the Bonds, shall be paid from the proceeds of the Bonds or other funds of the County. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the County, as set forth in the Bond Purchase Agreement, and that the Authority shall have no responsibility therefor.
5. The following plan for financing the costs of the Projects is approved. The Authority shall use the proceeds from the issuance of the Bonds to finance the acquisition, construction, renovation, repair and equipping of the Projects for lease to the County for the term of the Bonds at a rent sufficient to pay interest and principal when due on the Bonds. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County under the Financing Lease. The obligation of the County to pay rent under the Financing Lease will be subject to the Board of Supervisors of the County making annual appropriations for such purpose. The Bonds will be secured by an assignment of such lease and the rents thereunder to the Trustee for the benefit of the holders thereof and by the establishment of a debt service

reserve fund as provided in the Indenture. If the Board of Supervisors of the County exercises its right not to appropriate money for rent payments, the Trustee may terminate the lease or otherwise exclude the County from possession of the Projects subject to the terms of the Financing Lease. The issuance of the Bonds, in the aggregate principal amount of \$2,500,000, maturing on October 1, 2004 through October 1, 2011 and October 1, 2018, in the principal amounts, at the per annum rates of interest, and redemption provisions set forth in the attached **Exhibit A**, is hereby approved

6. The Authority agrees to the recommendation of the County that Crestar Bank be appointed as Trustee under the Indenture and hereby so designates Crestar Bank as such Trustee.
7. The Authority hereby authorizes the issuance of the Bonds pursuant to the Indenture upon terms set forth therein as approved by the County.
8. The Authority deems it advisable to provide for the use of proceeds of the Bonds to pay interest during any period of acquisition, construction and equipping of the Projects.
9. The Chairman of the Authority is hereby authorized and directed to execute the Ground Lease, the Financing Lease and the Bond Purchase Agreement.
10. The Chairman of the Authority is hereby authorized and directed to execute the Indenture and the Assignment Agreement and such other documents as are

necessary in the Chairman's sole discretion to create and perfect a complete assignment of the rents and profits due or to become due under the Financing Lease in favor of the Trustee for the benefit of the holders of the Bonds.

11. The Chairman of the Authority is authorized and directed to execute the Official Statement with respect to the issuance and sale of the Bonds in substantially the form of the draft of the Preliminary Official Statement presented to this meeting with such changes or supplements as such officers and agents of the Authority may consider necessary or desirable in connection therewith, and such Official Statement is hereby approved. The distribution of the Preliminary Official Statement and the Official Statement is hereby authorized. The authorization and approval of the Official Statement is solely for purposes of complying with Rule 15c2-12 of the Securities Exchange Act of 1934, as amended and the County is understood and agreed to be the sole "obligated person" under such Rule.
12. The Chairman of the Authority is hereby authorized and directed to execute the Bonds by manual or facsimile signature, and the Secretary or Assistant Secretary, either of whom may act, are hereby authorized and directed to affix the seal of the Authority to or print a facsimile thereof on the Bonds and attest the same by manual or facsimile signature, and the officers of the Authority are hereby

authorized and directed to deliver the Bonds to the Trustee for authentication and delivery upon terms to be provided in the Bond Purchase Agreement.

13. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions, changes and revisions as may be approved by the officer executing them in his sole and absolute discretion, his execution thereof to constitute conclusive evidence of his approval of any such completions, omissions, insertions, changes and revisions.
14. The officers of the Authority are hereby authorized and directed to execute, deliver and file all certificates and documents and to take all such further action as they may consider necessary or desirable in their sole and absolute discretion in connection with the issuance and sale of the Bonds, including without limitation (a) execution and delivery of a certificate setting forth the expected use and investment of the proceeds of the Bonds to show that such expected use and investment will not violate the provisions of Section 148 of the Internal Revenue Code of 1986, as amended (**the "Code"**), and regulations thereunder, applicable to "arbitrage bonds," (b) making any elections, at the request of the County that such officers deem desirable regarding any provision requiring rebate to the United States of "arbitrage profits" earned on investment of proceeds of the Bonds, (c) providing for the County to pay any such rebate amount, (d) providing for the County to make continuing disclosure of material information as required under Rule 15c2-12 of the Securities Exchange Act of 1934, as amended and (e) filing Internal Revenue Service Form 8038-G, and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the Bonds and the undertaking of the acquisition, construction and installation of the Projects.
15. The Authority represents and covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or otherwise cause the interest on the Bonds to be includable in gross income for Federal income tax purposes under existing law. Without limiting the generality of the foregoing, the Authority shall comply with any provision of law that may require the Authority at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds from the sale of the Bonds; provided, however, the Authority is relying upon all such actions and payments, if any, to be done and made by the County.
16. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
17. All other acts of the officers of the Authority that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale

of the Bonds and the undertaking of the acquisition, construction and equipping of the Projects are hereby approved and ratified.

18. The Authority hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code and represents and covenants that not more than \$10,000,000 in bonds, notes, leases and other obligations of the Authority (including any subordinate issuing entities) will be issued in calendar year 1998 and that the Authority will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code.
19. The County by acceptance of this financing agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the Authority, the issuance of the Bonds or the acquisition, construction and equipping of the Projects.
20. Nothing in this Resolution, the Bonds or the Documents shall constitute a debt or a pledge of the faith and credit of the Authority or the County, and the Authority shall not be obligated to make any payments under the Bonds or the

Documents except from payments made by or on behalf of the County under the Financing Lease subject to annual appropriation thereof in accordance with applicable law. The Underwriter shall acknowledge on behalf of the Bondholders that any purchase of Bonds pursuant to the Bond Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the Projects or the ability to repay the Bonds has been made by the Authority.

21. The Authority hereby declares its intent to reimburse itself (through the Board of Supervisors) with proceeds of the Bonds for "original expenditures" as defined in U.S. Treasury Regulation 1.150-2 (**the "Reimbursement Rules"**), with respect to the Projects made on or after the date with is 60 days prior to the date of adoption of the resolution by the Board of Supervisors on October 6, 1998, which is incorporated herein by this reference as the declaration of intent of the Authority. The Authority reasonably expects on the date hereof that it will reimburse the "original expenditures" as to the Projects with proceeds of the Bonds in accordance with Section 1.150-2 of the Reimbursement Rules. The maximum principal amount of the Bonds expected to be issued for the Projects is \$2,500,000.
22. The Authority, hereby represents that it meets the qualifications as a small issuer to the arbitrage rebate requirements of the Code pursuant to Section 148(f)(4)(D) of the Code and represents the following for such purposes: (i) the County is a governmental unit with general taxing powers and the Authority is a subordinate entity of that governmental unit, (ii) no "bond" which is part of the issue of the Bonds is a private activity bond, (iii) 95% or more of the net proceeds of such

issue is to be used for local governmental activities of the issuer (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the issuer), (iv) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by such unit during the calendar year in which such issue is issued is not reasonably expected to exceed \$5,000,000 (or such larger amount as may be authorized under the provisions of Section 148(f)(4)(D)(vii) of the Code), all pursuant to the provisions of Section 148(f)(4)(D) of the Code and the United States Treasury Regulations issued thereunder, including but not limited to, Section 1.148-8 of such regulations and the Authority hereby designates the Bonds as eligible for the "small issuer exception" to the rebate requirements of Section 148(f)(2) and (3) of the Code.

23. This resolution shall take effect immediately.

Industrial Development Authority of Appomattox County, Virginia
Capital Improvements Lease Revenue Bonds
Series 1998

Dated: October 1, 1998
Due: October 1, as shown below

<u>CUSIP</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY DATE</u>	<u>INTEREST RATE</u>
038019AF6	\$ 120,000	October 1, 2004	4.30
038319AG4	125,000	October 1, 2005	4.40
0383 19AH2	130,000	October 1, 2006	4.50
038319AJ8	135,000	October 1, 2007	4.55
0383 19AK5	140,000	October 1, 2008	4.60
03831 9AL3	145,000	October 1, 2009	4.70
038319AM1	155,000	October 1, 2010	4.80
038319AB9	160,000	October 1, 2011	4.90
0383 19AN9	1,390,000	October 1, 2018	5.10

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle, Chairman of the I.D.A. then presented the resolution for the I.D.A.'s adoption.

Mr. Williams made a motion seconded by Mr. Hancock to adopt the following resolution:

WHEREAS, the Board of Supervisors of Appomattox County, Virginia (the "County") has determined that the County of Appomattox, Virginia **(the "County")** has need to implement certain capital improvement projects and desires to request that the Industrial Development Authority of Appomattox County, Virginia **(the "Authority")** assist in financing such projects and in furtherance of such financing (a) to

issue, offer and sell its capital improvements lease revenue bonds in an amount not to exceed \$2,500,000 (**the "Bonds"**) to finance the acquisition, construction, renovation, repair and equipping of certain capital projects for the County including, but not limited to, (i) improvements, repairs and renovations to the County high school, middle school, elementary school and primary school, (ii) acquisition of school buses, (iii) improvements to the Pamplin Volunteer Fire Department, County Rescue Squad and County Sheriff's Department, and (iv) acquisition of vehicles for the County's Sheriffs Department and a fire truck, (v) real estate for County recreational purposes, and (vi) site improvements and infrastructure costs related to the development of a County industrial park (**the "Projects"**) and (b) to lease the Projects to the County to accomplish certain purposes of the Virginia Industrial Development and Revenue Bond Act (**the "Act"**); and

WHEREAS, the County proposes to (a) use the proceeds of the Bonds to pay the costs incurred and to be incurred in connection with the Projects, including costs of issuing the Bonds and funding a Debt Service Reserve Fund, (b) lease the Projects from the Authority and (c) secure the Bonds by an assignment of the Authority's rights under such lease for the benefit of the bondholders thereof; and

WHEREAS, the County and the Authority have been working with Ferris, Baker Watts, Incorporated (**the "Underwriter"**) in relation to the structure and plans for financing the Projects and the law firm of Sands, Anderson, Marks & Miller, a Professional Corporation, (**"Bond Counsel"**) and desire to complete the financing in a timely manner to assure the funding of the Projects for the County; and

WHEREAS, there has been presented to the County a plan for the lease financing of the acquisition, construction and equipping of the Projects involving the issuance of Bonds of the Authority which would not create debt of the County for purposes of the Virginia Constitution; and

WHEREAS, there have been presented to this meeting drafts of the following documents (**the "Documents"**), copies of which shall be filed with the records of the Board of Supervisors:

- (a) a Ground Lease, dated as of October 1, 1998, between the Authority and the County conveying to the Authority a leasehold interest in certain real estate and improvements (**the "Ground Lease"**).
- (b) a Financing Lease, dated as of October 1, 1998, between the Authority and the County conveying to the County a leasehold interest in the Projects (**the "Financing Lease"**);
- (c) an Indenture of Trust, dated as of October 1, 1998, between the Authority and Crestar Bank, as the trustee (**the "Trustee"**), pursuant to which the Bonds are to be issued, including the form of the Bonds, which is to be acknowledged and consented to by the

County (the "Indenture");

- (d) an Assignment of Rents and Leases, dated as of October 1, 1998, between the Authority and the Trustee, assigning to the Trustee certain of the Authority's rights under the Financing Lease, which is to be acknowledged and consented to by the County (the "Assignment Agreement");
- (e) a Bond Purchase Agreement, dated as of October 6, 1998, among the Authority, the County and Ferris, Baker Watts, Incorporated, as Underwriter (the "Underwriter") for the purchase of the Bonds (the "Bond Purchase Agreement");
- (f) a Continuing Disclosure Agreement, dated as of October 1, 1998, between the County and the Trustee for the purpose of assuring compliance with continuing disclosure obligations under Rule 15c2-12 of the Securities and Exchange Act of 1934, as amended; and
- (g) a Preliminary Official Statement for the offering and sale of the Bonds, dated as of September 29, 1998 and a final Official Statement for the same (together, the "Official Statement").

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF
APPOMATTOX COUNTY, VIRGINIA:**

1. The County finds and determines that the undertaking of the acquisition, construction and installation of the Projects for the County will be consistent with the purposes of the Act.
2. The County recommends to the Authority that Sands, Anderson, Marks & Miller, a Professional Corporation, Richmond, Virginia, be appointed as Bond Counsel as well as counsel to the Underwriter and Special Counsel to the Authority, and hereby agrees and accepts such appointment to supervise the proceedings and approve the issuance of the Bonds and consents to such dual representation.
3. The County recommends to the Authority that Ferris, Baker Watts, Incorporated, Richmond, Virginia, be selected and designated as Underwriter for the Bonds.
4. The County agrees that all costs and expenses in connection with the undertaking of the acquisition, construction and equipping of the Projects and the issuance of the Bonds, including the Authority's expenses and the fees and expenses of the County for the sale of the Bonds, shall be paid from the proceeds of the Bonds or other funds of the County. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the County and that the

Authority shall have no responsibility therefor.

5. The following plan for financing the acquisition, construction and equipping of the Projects for the County as described in the preambles above is hereby approved. The Authority will be requested to issue the Bonds in the maximum amount of \$2,500,000 (**the "Bonds"**) and to use the proceeds therefrom to finance the acquisition, construction, renovation, repair and equipping of the Projects. The Authority will acquire a portion of the Projects, which will be leased to the Authority under the Ground Lease, and the Authority will lease the Projects to the County pursuant to the Financing Lease and the County agrees to acquire, construct, renovate, repair and equip the Projects with the proceeds of the Bonds or otherwise. The Authority will also enter into the Indenture with the Trustee, pursuant to which the Bonds will be issued, which Indenture is to be acknowledged and consented to by the County. The Authority will also enter into the Assignment Agreement whereby the Authority's rights under the Financing Lease will be assigned to the Trustee, which Assignment Agreement is to be acknowledged and consented to by the County. The Authority will be requested to lease the Projects to the County for the term of the Bonds under a "triple net lease"¹ at rents sufficient to pay interest and principal due on the Bonds, all pursuant to the Financing Lease. The obligation of the Authority to pay principal and interest on the Bonds will be limited to rent payments received from the County. The obligation of the County to pay rent will be subject to the Board of Supervisors making annual appropriations for such purpose. The Bonds will be secured by an assignment of the Financing Lease to the Trustee for the benefit of the bondholders and by the establishment of a debt service reserve fund pursuant to the terms of the Indenture. If the County exercises its right not to appropriate money for rent payments, the Trustee or the holder of the Bonds may terminate the Financing Lease or otherwise take possession of the Projects, subject to the terms of the Financing Lease, the Assignment Agreement, the Ground Lease, and the Indenture. The issuance of the Bonds, in the aggregate principal amount of \$2,500,000, maturing on October 1, 2004 through October 1, 2011 and October 1, 2018, in the principal amounts, at the per annum rates of interest, and the redemption provisions set forth in the attached Exhibit A, is hereby approved.
6. The Chairman or Vice Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Ground Lease, the Financing Lease, the Bond Purchase Agreement and the Continuing Disclosure Agreement.
7. The Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to acknowledge and consent to the provisions of the Indenture and the Assignment Agreement and any other instruments executed by the Authority in connection with an assignment of the Financing Lease for the purpose of securing the Bonds, including designating and confirming the final interest rate, maturities, redemption provisions and other terms of the Bonds.

8. The Documents shall be in substantially the forms submitted to this meeting, which are hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing them, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.
9. The Projects are hereby declared to be essential to the efficient operation of the County, and the Board of Supervisors anticipates that the Projects will continue to be essential to the operation of the County during the term of the Financing Lease. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all payments under the Financing Lease and hereby recommends that future Boards of Supervisors do likewise during the term of the Financing Lease.
10. The Chairman or Vice-Chairman of the Board, the County Administrator, the County Attorney, the County Treasurer and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the County Attorney, Bond Counsel, and the Underwriter to perform all services and prepare all documentation necessary to bring the Bonds to market, including without limitation, final forms of the Documents.
11. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto **(the "Code")**, or otherwise cause interest on the Bonds to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to

the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds.
12. The County covenants that it shall not permit the proceeds of the Bonds to be used in any manner that would result in (a) 10% or more of the proceeds of either the Bonds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided that no more than 5% of such proceeds may be used in a trade or business unrelated to the County's use of the Projects, (b) 5% or more of such proceeds being used with respect to any "output facility"^t (other than a facility for the furnishing of water), within the meaning of Section 141 (b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons

other than as governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Bonds from being includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

13. The Board of Supervisors hereby recommends to the Authority that Crestar Bank be appointed as Trustee under the Indenture.
14. All other acts of the Chairman or Vice-Chairman of the Board and other officers of the County that are in conformity with the purposes and intent of this resolution and in furtherance of the plan of financing, the issuance and sale of the Bonds and the acquisition, construction, and equipping of the Projects are hereby approved and ratified.
15. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.
16. The Board of Supervisors hereby declares its intent to reimburse itself with the proceeds of the Bonds for "original expenditures" as defined in U.S. Treasury Regulation 1.150-2 (**the "Reimbursement Rules"**), with respect to the Projects, made on or after the date which is 60 days prior to the date of adoption of this resolution. The Board of Supervisors reasonably expects on the date hereof that it will reimburse the "original expenditures" as to the Projects with proceeds of the Bonds, in accordance with Section 1.150-2 of Reimbursement Rules. The maximum principal amount of the Bonds expected to be issued for the Projects is \$2,500,000.
17. The Board of Supervisors on behalf of the County hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code, allocates to the Authority \$2,500,000 of its allocation of "qualified tax-exempt obligations" for the Bonds for purposes of such Section and represents and covenants that not more than \$10,000,000 in bonds, notes, leases and other obligations of the County (including any subordinate issuing entities), excluding private activity bonds, will be issued in calendar year 1998 and that neither the Board of Supervisors nor the County will designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to Section 265(b)(3) of the Code.
18. The County hereby agrees to indemnify, defend and save harmless the Authority, its officers, directors, employees and agents from and against all liabilities, obligations, claims, damages, penalties, fines, losses, costs and expenses in any way connected with the County, the issuance of the Bonds or the acquisition, construction and equipping of the Projects.

19. Nothing in this Resolution, the Bonds or the Documents shall constitute a debt or a pledge of the faith and credit of the County, and neither the County nor the Authority shall be obligated to make any payments under the Bonds or the Documents except from payments made by or on behalf of the County under the Financing Lease subject to annual appropriation thereof in accordance with applicable law. The Underwriter shall acknowledge on behalf of the Bondholders that any purchase of Bonds pursuant to the Bond Purchase Agreement is made solely based on representations of the County and no representations of any kind as to the Projects or the ability to repay the Bonds has been made by the Authority.
20. The Board, as the governing body of the County, on behalf of the County, hereby represents that it meets the qualifications as a small issuer to the arbitrage rebate requirements of the Code pursuant to Section 148(f)(4)(D) of the Code and represents the following for such purposes: (i) the County is a governmental unit with general taxing powers, (ii) no "bond" which is part of the issue of the Bonds is a private activity bond, (iii) 95% or more of the net proceeds of such issue is to be used for local governmental activities of the issuer (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the issuer), (iv) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by such unit during the calendar year in which such issue is issued is not reasonably expected to exceed \$5,000,000 (or such larger amount as may be authorized under the provisions of Section 148(f)(4)(D)(vii) of the Code), all pursuant to the provisions of Section 148(f)(4)(D) of the Code and the United States Treasury Regulations issued thereunder, including but not limited to, Section 1.148-8 of such regulations and the Board hereby designates the Bonds as eligible for the "small Issuer exception" to the rebate requirements of Section 148(f)(2) and (3) of the Code.
21. This resolution shall take effect immediately.

Industrial Development Authority of Appomattox County, Virginia
Capital Improvements Lease Revenue Bonds
Series 1998

Dated: October 1, 1998
Due: October 1, as shown below

<u>CUSIP</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY DATE</u>	<u>INTEREST RATE</u>
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038319AK5	140,000	October 1, 2008	4.60
038319AL3	145,000	October 1, 2009	4.70
038319AM1	155,000	October 1, 2010	4.80
038319AB9	160,000	October 1, 2011	4.90
038319AN9	1,390,000	October 1, 2018	5.10

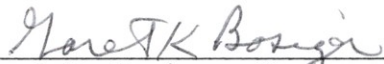
Vote: Mr. Slagle, aye; Mr. Drinkard, aye; Mr. Hancock, aye; Mr. Robinson, aye; Mr. Turner, aye; Mr. Williams, aye.

Mr. Bosiger then explained that it was necessary to appropriate funds from the C.I.P. Account to pay for the land for the industrial park and also funds from the bond to pay for the recreational facility.

Mr. Moore made a motion seconded by Mr. Carter to appropriate 1.2 million dollars from the C.I.P. Account to pay for the land to be used for the industrial park. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$250,000.00 from the Bond Account to purchase land for a recreational facility. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, at 7:02 P.M. Mr. Carter made a motion seconded by Mr. Moore to adjourn until 7:30 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A work session of the Appomattox County Board of Supervisors was held on October 6, 1998 at 7:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the work session to order at 7:33 p.m. and welcomed the members of the Courthouse Committee and citizens in attendance. Mr. Bosiger continued by explaining that this was a work session for the Board of Supervisors to hear the details of the two options being presented to meet the needs of the courts and that citizen input would not be allowed at this work session. Mr. Bosiger stated that after the Board of Supervisors had an opportunity to review the proposals in detail there would be opportunities for citizens to express their views on this matter.

Mr. Bosiger then asked Mr. Hal Craddock to begin his presentation.

Mr. Craddock gave a very informative presentation to the Board, and answered questions of the members of the Board and the Courthouse Committee.

General discussion followed with the members of the Board of Supervisors expressing their views on the two options presented.

After discussion and by consensus of the Board it was agreed that Mr. Craddock would provide information on the cost to renovate the present Courthouse to meet minimum ADA requirements and look at ideas for the use of the existing buildings, if new construction was the option chosen for meeting the needs of the courts.

Mr. Bosiger stated that it would take from 3 to 6 months to get to the stage that a public hearing would be in order for the Courthouse project.

Mrs. Ferguson was asked to check on financing options for the Courthouse project in the amount of 3 to 5 million dollars.

Mr. Craddock was then asked to review with the members of the Board the recommended addition and renovations to the Sheriff's Office.

Questions and comments followed.

Being nothing further for Mr. Craddock and the Courthouse Committee, they were thanked and excused.

Mr. Bosiger then stated that it was necessary for an executive session to discuss a legal matter.

At 9:10 P.M. on a motion by Mr. Moore seconded by Mr. Torrence it was agreed to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence at 9:12 P.M. seconded by Mr. Moore it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion made by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

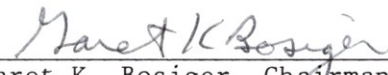
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Bosiger declared the work session closed at 9:13 P.M.


Garet K. Bosiger, Chairman

A Special Meeting of the Appomattox County Board of Supervisors was held on October 12, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia. The meeting was requested by Chairman Bosiger to consider an emergency ordinance pertaining to the number of single family residential dwellings allowed in A-1 Zoning District.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the special meeting to order at 7:00 P.M. after all members had been notified in accordance with the Code of Virginia section 15.2-1418.

Mr. Bosiger then asked Mr. Carter to deliver the invocation.

Mr. Bosiger began by stating that the reason that he called the special meeting was that he considered that an emergency existed and that it was immediately necessary for the preservation of public morals, health, safety and the general welfare of the public. To meet and reconsider the moratorium that was passed last Monday night. Mr. Bosiger continued that there were a lot of questions concerning the moratorium that he felt needed to be addressed. Mr. Bosiger stated that after a period of reflection, he believes that the Board offered an imperfect solution that could cause a hardship on some of the citizens. Mr. Bosiger continued that this was not the intent. Mr. Bosiger stated that after consultation with the County Attorney, he felt that the Board needed to lift the moratorium on mobile homes in the Southside District, and pass an emergency ordinance to repeal section 170-23 of the Appomattox County Zoning Ordinance, and also prohibit mobile homes manufactured prior to 1976, from being installed in Appomattox County. Mr. Bosiger stated that he felt the county staff should be ordered not to process any permit application for more than one single family dwelling on a lot in an R-2, residential district or an A-1, agricultural district for a period of 60 days. Mr. Bosiger continued that the matter needed to be referred to the Appomattox County Planning Commission for their immediate review and recommendations.

Mr. Bosiger called for comments from the other members of the Board.

Discussion followed.

After discussion, and consideration, Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, it is the finding of the Board of Supervisors that an emergency now exists and it is immediately necessary for the preservation of public morals, health, safety and the general welfare of the public;

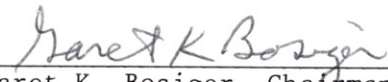
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Appomattox County that section 170-23 of the Appomattox County Zoning Ordinance is repealed and mobile homes manufactured prior to 1976 are prohibited to be installed in Appomattox County; and

RESOLVED FURTHER by order of the Board of Supervisors, county staff is instructed not to process any permit applications for more than one single family dwelling on a lot in an R-2 residential district or an A-1 agricultural district for a period of 60 days.

RESOLVED FINALLY, this matter is referred to the Appomattox Planning Commission for their immediate review and recommendations.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile, absent.

At 7:12 p.m., Mr. Bosiger declared the special meeting closed.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on October 19, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present;

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Russell H. Moore(after the Planning Commission Meeting)Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 7:00 P.M. and delivered the invocation.

Mr. Bosiger then explained that the first administrative item was an appointment to the Farmville Five County Fair Board.

Mr. Torrence stated that since he worked in Farmville and was very involved with the fair he would volunteer to serve in this capacity representing Appomattox County.

Mr. Bosiger next presented a request from Mrs. Ferguson for a line item transfer from Comprehensive Services budget to the Board's Operating Reserve line.

Mr. Carter made a motion seconded by Mr. Torrence to transfer \$22,953.00 from 5310-3001 to 1101-5804. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several requests for supplemental appropriations.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate the following:

\$857.27 to 3102-1002;
372.75 to 3102-5408;
12.95 to 7301-5411.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mrs. Ferguson had researched Mrs. Hamlet's request for two telephones for the General District Court Clerk's Office and had found that no additional wiring was required and that the telephones could be moved with ease if the office was relocated.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$598.00 from Courthouse Maintenance for the month of October 1998 to purchase two telephones for the General District Court Clerk's Office. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Mayor Spiggle that \$3,842.52 be appropriated from the Trigon stock proceeds for the Town employee health benefits.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$3,842.52 from the Trigon stock proceeds for benefits for Town employees. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Torrence, aye.

Mr. Bosiger also explained that the Board did not reimburse for county employees at the same rate that they reimbursed the School and the Town and recommended that an additional appropriation be made from the Trigon stock proceeds for County employees.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate a total of \$19,649.25 from the Trigon stock proceeds to reimburse the County for their portion of the employee's healthcare benefits. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the other members of the Board if they had reviewed the meeting notes of Mr. Hal Craddock concerning the extended project for the Courthouse.

After discussion, and by consensus of the Board, it was agreed for Mr. Craddock to proceed with the Courthouse project as outlined in his memo.

Mr. Bosiger then asked if any member of the Board had anything for discussion.

Mr. Torrence stated that he would like letters of commendation sent to the members of the Historic Appomattox Railroad Festival Board for the excellent job they did putting on the festival and also to the members of the Pamplin Volunteer Fire Department for their efforts in raising funds for their new building.

Mr. Torrence also reported that the Town of Pamplin had received a \$331,000.00 grant to renovate and restore the train station in Pamplin.

Mr. Carter then gave a report on the Appomattox Town Council meeting .

Mr. Moore joined the meeting.

Mr. Bosiger explained that the Planning Commission had recommended approval of petition 98-349 of Piedmont Timber Company.

Mr. Carter made a motion seconded by Mr. Torrence to accept the Planning Commissions recommendation and approve petition 98-349 of Piedmont Timber Company to rezone property from A-1 to B-1. Property is Tax Map Parcel #72-A-5 and part of #60-A-53 and is located on Route 460 between Route 667 and Route 800. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that an executive session was necessary to discuss a legal matter.

At 7:44 P.M. on a motion by Mr. Torrence seconded by Mr. Carter it was agreed to enter into an executive session to discuss a legal matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter at 9:20 P.M. seconded by Mr. Torrence it was resolved the Board of Supervisors to return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion made by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

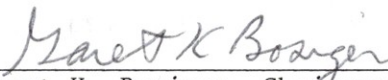
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion seconded by Mr. Carter to adjourn at 9:35 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint work session of the Appomattox County Board of Supervisors and Virginia Department of Transportation staff was held on October 26, 1998 at 6:00 P.M. in the Appomattox VDOT Residency Office, Ferguson Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Sandra Lindsey
Don Austin
Mike Crawford
Robert Brown
Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

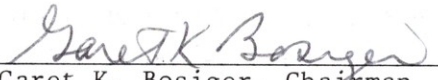
Mr. Bosiger called the work session to order and turned the meeting over to Mr. Don Austin, Assistant Resident Engineer, VDOT, to review the proposed Six-Year Plan for Secondary Roads.

Mr. Austin provided handouts on Secondary Construction and Unpaved Road Allocations approved by CTB on September 17, 1998; Secondary System Construction Program; Secondary System Unpaved Road Priority List 2000-01 to 2003-04; and Unfunded Paved Roads Improvement List. Mr. Austin then asked Mr. Robert Brown to go over this list with the Supervisors.

Mr. Brown reviewed each item on each of the list and discussion followed.

After discussion and some minor changes, the Board of Supervisors agreed to hold the public hearing on the Proposed Six-Year Plan on December 7, 1998 at 6:00 P.M.

Being nothing further, Mr. Bosiger declared the work session closed at 7:00 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held at 6:30 P.M. On November 2, 1998 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District

Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District (late)
Dennis W. Torrence – Appomattox River District

Mr. Bosiger called the meeting to order at 6:35 P.M. and delivered the invocation.

Mr. Bosiger called for additions or corrections to the minutes.

Mr. Carwile asked to be recognized in order to address some concerns he had with the minutes. He continued that he had proofed the minutes and that he had a hang-up or concern with what had been omitted. Mr. Carwile stated that he felt that what had been omitted that the Governing Body of the County under the direction of the Commonwealth Attorney gave direction of approval that legally he saw nothing wrong with the action the Board took on October 5, 1998 in response to Mrs. Julie Austin's request. Mr. Carwile also requested that the people that Mrs. Austin referred to in the back of the Courtroom as her back up, that their names be recorded in the minutes.

Mrs. Ferguson stated that she had no way of knowing whom Mrs. Austin was referring to since no petition was presented.

Mr. Carwile continued that he felt that it should be noted that Mrs. Austin was speaking for herself alone.

Mr. Carwile continued that to follow up, he believed that Mr. Carter was the Board member who asked the Commonwealth Attorney for direction before the vote was taken that night on the emergency ordinance. He stated that he only wanted to bring this to light for the protection of the Board. He continued that the Board was given that night advice from the Commonwealth Attorney that legally he saw nothing wrong with the Boards proposed action. Mr. Carwile continued that he felt this should be put in the minutes. Mr. Carwile continued that whoever put the minutes together was doing a plus job, but then the omission of this part of it should be part of the records. Mr. Carwile continued that he abstained from voting at that meeting, and that he was directed to do so, and legally he would have done it without direction.

Mrs. Ferguson stated that she had no way of knowing who was in attendance with Mrs. Austin and she did not feel that it would be appropriate to except a list of those names from Mrs. Austin.

Mr. Carwile stated that he felt that Mrs. Austin's comments should be reduced that she was speaking for herself when she indicated those in the rear of the Courtroom.

Mr. Carwile stated that he was only saying that the Board needed some documentation. Mr. Carwile continued that he was going to ask that it be entered into the minutes that Mr. Carter asked the Commonwealth Attorney for direction and that he stated legally he

saw nothing wrong with it. Mr. Carwile continued that this should be officially put into the minutes and with that he offered the minutes to be approved.

Mr. Carter stated that he was not sure if he asked that question of Mr. Lawson or not.

Mr. Bosiger called for a second.

Mr. Torrence seconded the motion.

Mr. Bosiger then stated that he understood what Mr. Carwile was asking and asked Mr. Lawson if he would like to comment on this matter.

Mr. Lawson stated that someone would have to bring him up to date since he missed part of the discussion.

Mr. Bosiger stated that Mr. Carwile substantially agreed with the minutes but, he feels that when Mrs. Austin was here on October 5, 1998, he would like to see the names of the people she was representing in the Courthouse that she indicated were part of her group, for the record, or otherwise she was speaking for herself. Mr. Bosiger continued that Mrs. Ferguson had stated that she had no way of knowing whom Mrs. Austin was referring to in the Courtroom. Mr. Bosiger continued that the second part of Mr. Carwile's suggested change was that later in the meeting Mr. Carter requested that Mr. Lawson give an opinion on the legality of the moratorium and that Mr. Lawson had stated that it was legal.

Mr. Carwile stated that he felt that in all fairness to the Board and the Commonwealth Attorney this should be recorded in the minutes as stated.

Mr. Lawson addressed the Board and stated that he had no recollection of any member of the Board asking him if the moratorium was legal. Mr. Lawson continued that if the members of the Board had remembered him making this statement he had no problem with it being included in the minutes. Mr. Lawson stated that in reference to Mrs. Austin and the statement she made about the people in the rear of the Courtroom, he felt that it should be included in the minutes because that was in fact the statement Mrs. Austin made.

Mr. Bosiger stated that he would give his recollection on the moratorium issue. He stated that as the discussion was in progress he asked Mr. Lawson if he would like to give his opinion on the matters being discussed. Mr. Bosiger continued that as he remembered it Mr. Lawson gave his opinion on Mr. Carwile abstaining in this matter. Mr. Bosiger stated that he did not remember Mr. Lawson stating that the moratorium was legal.

Mr. Bosiger stated that prior to revising the minutes maybe Mrs. Ferguson should review the tapes to become clearer on the statements that were made.

Mr. Carwile agreed and stated that we had the tapes, as well as there were other tapes available of that meeting.

Mrs. Ferguson stated that she might need to listen to the other tape because sometime her tape did not pick up people that were not at the Board table.

Mr. Carwile stated that this was necessary to be fair to all concerned.

Mr. Bosiger stated that the Board would hold the minutes of October 5, 1998 until the next meeting when Mrs. Ferguson had been able to review the tapes and offer revisions for approval.

Mr. Lawson stated that he did not feel that it would be appropriate to contact Mrs. Austin and ask her who she represented and that the only alternative would be to record her statement as it was made.

Mr. Carwile stated that the only comment he had to make on this matter was, as the speaker, and being unable to identify anyone she was referring to, then you would have to state that she was speaking for herself.

Mr. Torrence stated that he did not see the relevance to Mr. Carwile's request.

Mr. Bosiger stated that the minutes were accurate.

Mr. Torrence stated that he hoped that the Board would not act on a number of people in attendance. Mr. Torrence continued that he hoped that any action the Board took would be legal. He continued that he understood that at times mistakes could be made but he felt that the Board operated under the premise that any action they took was legal.

Mr. Bosiger stated that he remembered talking about the emergency ordinance, but he did not remember a direct question being asked of Mr. Lawson, if the moratorium was legal.

Mr. Bosiger stated that he felt the way it was stated about Julie Austin was correct.

Mr. Carwile stated that he only mentioned the people that Julie Austin made reference to because he thought maybe there had been a list presented that he had missed.

Mr. Bosiger stated then if he understood correctly Mr. Carwile was willing to let the issue of who Mrs. Julie Austin was referring to stand as it is and only the matter of Mr. Lawson's response to the moratorium be researched.

Mr. Carwile stated that was fine with him.

Mr. Bosiger restated the motion, Mr. Carwile made a motion that the minutes of the regular meeting of October 5, 1998 be approved as written, except that the tape be searched to see if there was a question and a response being given on the legality of the

moratorium; the minutes of the joint meetings of October 5, 1998 be approved; the minutes of the joint meeting of October 6, 1998 be approved; the minutes of the work session of October 6, 1998 be approved; the minutes of a Special Meeting of October 12, 1998 be approved; the minutes of the regular meeting of October 19, 1998 be approved; and a joint work session of October 26, 1998 be approved.

Mr. Carwile stated that this was fine with him.

Mr. Bosiger called for a vote.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called Ms. Sandra Lindsey, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began that she did not have any information for the Board but was there to answer any concerns.

Mr. Torrence asked if on Route 627, down next to the Doss farm where VDOT put in a culvert in place of a bridge, were there plans to put up guardrails on the approaches to this culvert?

Ms. Lindsay stated that she would look into this and report back to the Board.

Mr. Carwile asked about required road width in order to have markings, centerline and along the edges of the pavement. Mr. Carwile stated that he had asked this question before and did not remember getting an answer.

Ms. Lindsay stated that she had never given Mr. Carwile this information in writing, but it basically took a minimum of a 20' pavement for centerline markings and a 22' pavement width for road edge markings. Ms. Lindsay continued that this was with the approval of traffic engineering.

Mr. Bosiger asked for information on the Main Street railroad crossing.

Ms. Lindsay stated that the tracks should be moved by the end of the year. Ms. Lindsay continued that new signage had been installed in order to try to help alleviate the problem.

Mr. Torrence asked if Route 634 would have centerline markings?

Ms. Lindsay stated that she would check with traffic engineering.

Mr. Bosiger thanked and excused Ms. Lindsay and called for Supervisor concerns.

Mr. Carter explained that he had attended an America's Promise meeting on behalf of the Board and the Board was being asked to appoint a coordinator for Appomattox County. Mr. Carter continued that he felt this was a worthwhile endeavor and suggested Mr. Al Jones name as Coordinator for Appomattox County.

Discussion followed.

After discussion and by consensus of the Board it was agreed that Mr. Al Jones serve as coordinator for America's Promise in Appomattox County.

Mr. Bosiger then stated that he had received a call from Mrs. Nina Beasley expressing concern with the cable television service. Mr. Bosiger suggested that Mrs. Ferguson contact the new manager for NESBE and have him appear before the Board in order to allow the Board to express the concerns of the citizens.

Mr. Carwile stated that he had a heart felt concern to share with the members of the Board. He continued that his concern was going to the people of the County, the taxpayers and the law-abiding citizens. Mr. Carwile stated that he did not want to get into an argument or discussion on this matter but he did want it for the record, that as one supervisor he was heart felt of the grievance that the people have suffered in this county, in the last thirty days, of decisions by the Board. Mr. Carwile stated, and with that he would say Amen.

Mr. Bosiger then called Mr. Hal Craddock to appear before the Board. Mr. Craddock came forward and explained that he was representing a group known as Regional Renaissance. Mr. Craddock then introduced Mr. Jack Eckert, former President of B & W. Mr. Craddock then explained that Regional Renaissance was formed to address such issues as tourism, education, housing, cultural arts program, health care, public safety and security in the region. Mr. Craddock continued that regional cooperation was the best tool in improving the quality of life for all of our citizens. Mr. Craddock continued that the second thing was that Regional Renaissance believed in creating a future that pulled you to it. Mr. Craddock gave a very interesting presentation on the purpose of Regional Renaissance. In closing Mr. Craddock explained that at this point they were trying to get this concept off the ground and were asking for support from local government. Mr. Craddock continued that they were requesting \$.50 per capita in order to fund this initial effort. Mr. Craddock explained that the City of Lynchburg had agreed to contribute \$30,000.00 towards this effort and that the Lynchburg Chamber of Commerce had agreed to commit \$10,000.00. Mr. Craddock explained that Appomattox County was the first County they had been to with their presentation and that they would be asking each locality for the same contribution that they were asking of Appomattox.

A lengthy discussion followed with the Board members asking questions of Mr. Craddock. After discussion and by consensus of the Board it was agreed to consider this contribution at budget time.

Mr. Bosiger thanked and excused Mr. Craddock and Mr. Eckert and asked the members of the Board to turn their attention to the Administrative Items.

Mr. Bosiger explained that several members of the I.D.A. were up for reappointment and had agreed to serve another term.

Mr. Carwile made a motion seconded by Mr. Moore make the following appointments to the I.D.A : Mr. William S. Slagle and Mr. Leon Turner to terms to expire December 31, 2001; and Mr. Richard Robinson and Mr. Winfred Nash to terms to expire December 31, 2002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were several supplemental appropriation requests from the Sheriff's Department.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$2000.00 to the Sheriff's Department for buy money, and \$81.02 for reimbursement for funds received from the Chamber of Commerce. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, Aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that there were also several requests for appropriations from the Library and the Law Library.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate the following:

\$65.00 to 7301-5415

8.00 to 7301-5401

46.55 to 7301-5411

67.74 from the Law Library for the month of November 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Dorothy Hamlett for a new copy machine.

Discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Carwile to allow Mrs. Ferguson to make a decision to either purchase or lease a new copy machine for the General District Court and transfer the needed funds. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the proposed repairs to the compactor at the landfill had been held over until this meeting for a decision from the Board, but that Mrs. Carter would like to hold this decision until December meeting to get further information for the Board.

After discussion and by consensus of the Board it was agreed to hold this matter until the December 1998 meeting.

Mr. Bosiger then turned the Board's attention to item number nine, the sports complex. Mr. Bosiger explained that the next step was to have a detailed plan drawn up for the sports complex showing field layout, parking, etc.

After discussion and by consensus of the Board it was agreed to do an RFP for plans for the sports complex.

Mr. Bosiger next presented a letter from J. Chapman Petersen, Council Member, City of Fairfax requesting support for legislation proposed for the 1999 Legislative Session that would provide for preservation of historic properties such as the Courthouse.

After discussion and by consensus of the Board, it was agreed to table this matter until a later meeting to give the County Attorney an opportunity to look into this and report back to the Board.

Mr. Bosiger then called the other members of the Boards' attention to the landfill report prepared by Mr. Carroll. (Report on file in the November 2, 1998 Board Book).

Mr. Bosiger next presented a report from Anne Dixon on the Community Center Board's meeting.

After discussion, no action was taken.

Mr. Bosiger then presented the Planning Commission recommendations concerning additional dwellings on one lot in A-1. Mr. Bosiger explained that the Planning Commission was recommending the following change to Section 170-23 as follows:

170-23 – Additional dwelling on single lot.

One (1) additional single-family dwelling may be permitted on the same lot or parcel of land as that of the main dwelling, upon application an approval as a Conditional Use per 170-6C herein, provided that:

- A. The main dwelling is located in an R-2 General Residential District.
- B. The additional dwelling conforms to the minimum lot area, minimum lot width, and maximum lot coverage and yard requirements for such a dwelling as set forth in Article XIV herein.
- C. The arrangement of such additional dwelling is in such a manner that if the lot or parcel of land is ever divided, no substandard lot or nonconforming building is created.
- D. The additional dwelling has access to public street by means of a passageway open to the sky at least fifteen (15) feet in width.

Discussion began concerning the present ordinance and the proposed change to the ordinance.

Mr. Carwile began to question item D. in the proposed change when Mr. Lawson stated that he hated to interrupt Mr. Carwile and addressed the Chair. Mr. Lawson stated that he felt he had to again state, that his interpretation of the conflict of interest act, was that if Mr. Carwile had a personal interest or if any immediate member of his family had a personal interest in any action taken by the Board of Supervisors to his benefit or to his detriment he should disqualify himself from participating in this transaction, which is being discussed right now. Mr. Lawson continued that maybe Mr. Carwile did not have an interest in anything that would cause him to have a conflict of interest in this matter, he continued that the last time he mentioned this to Mr. Carwile, Mr. Carwile had stated that he had no interest in anything that was being discussed. Mr. Lawson stated that if Mr. Carwile did not have any interest in anything that was being discussed right now he could continue in the discussion.

Mr. Carwile stated that all he was trying to do was for information for the Board of Supervisors, not for himself.

Mr. Lawson stated that if Mr. Carwile had a conflict of interest he should not participate in the discussion, that was his ruling.

Mr. Carwile stated that he had no problem with this and would abstain from any input on this subject he had no intention of voting on this matter he was only interested in something that he felt the Board was missing on this subject.

Mr. Bosiger stated that it sounded as if this action might be for Mr. Carwile's protection.

Mr. Bosiger called for other questions or comments concerning the proposed changes recommended by the Planning Commission.

Mr. Torrence asked Mr. Moore if his concerns had been answered.

Mr. Moore stated that he felt the action was going to put more demands on R-2.

Mrs. Ferguson gave a brief explanation of several sections of the zoning ordinance in relation to lot size.

A lengthy discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter that the following recommendation from the Planning Commission be published for public hearing on November 12, 1998 at 7:00 P.M:

170-23 – Additional dwelling on single lot.

One (1) additional single-family dwelling may be permitted on the same lot or parcel of land as that of the main dwelling, upon application an approval as a Conditional Use per 170-6C herein, provided that:

A. The main dwelling is located in an R-2 General Residential District.

- B. The additional dwelling conforms to the minimum lot area, minimum lot width, and maximum lot coverage and yard requirements for such a dwelling as set forth in Article XIV herein.
 - C. The arrangement of such additional dwelling is in such a manner that if the lot or parcel of land is ever divided, no substandard lot or nonconforming building is created.
 - D. The additional dwelling has access to public street by means of a passageway open to the sky at least fifteen (15) feet in width.
- Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, abstained by the Commonwealth Attorneys advice; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Lawson stated that Mr. Carwile would have to state a reason why he was abstaining from voting.

Mr. Carwile stated that he did not have a reason, and that at the close he was going to ask the Chairman for the records that he was at a loss to know why he could not have a voice in this since we are dealing with people that he represents in his district and that we are dealing with a dwelling.

Mr. Lawson addressed Mr. Carwile and stated that if he did not have a conflict in this matter that would be to his benefit or to his detriment then he could say all he wanted to say. Mr. Lawson continued if he did have a conflict then he could not participate. Mr. Lawson stated that it was up to Mr. Carwile to determine this, that he knew whether he had a conflict or not.

Mr. Carwile stated that he had abided by what Mr. Lawson had advised him to do.

Mr. Lawson stated that he was not advising Mr. Carwile he was only stating what constituted a conflict of interest.

Mr. Carwile stated that he would have done it anyway.

Mr. Bosiger interrupted and asked that Mr. Carwile and Mr. Lawson continue this discussion in private, that he was accepting the vote as four in favor and one abstention. Mr. Bosiger continued that if there were a question about this it would have to be taken up with Mr. Lawson.

Mr. Lawson stated that Mr. Carwile had to provide a reason why he was abstaining from the vote.

Mr. Carwile stated that he would just have a no vote then.

Mr. Bosiger asked Mr. Carwile if that meant he was voting nay on the motion?

Mr. Carwile stated that he would just have a no vote.

Mr. Torrence asked Mr. Carwile if he had an interest in the situation that brought this matter up?

Mr. Carwile stated that this issue was looking to the future, not the present and the future could involve any member of the Board.

Mr. Bosiger stated that the way he saw this Mr. Lawson's advice to Mr. Carwile was that he could either vote or not vote, that it was Mr. Carwile's decision, but if he chose not to vote he had to tell the Board why.

Mr. Carwile stated that he did not know for what reason he couldn't vote, so he did not have a reason.

(Mr. Carwile called the County Administrator's Office on November 3, 1998 at 10:30 A.M. and asked Mrs. Phelps to tell Mrs. Ferguson that he abstained from voting on the direction of the Commonwealth Attorney.)

Mr. Torrence asked if there were any rules that could be addressed that would deal with the age of trailers or abandoned trailers?

Mr. Bosiger stated that he believed that this would be a separate issue.

Mrs. Ferguson stated that maybe the Board should consider a maintenance ordinance to help regulate this type problem.

Mrs. Ferguson was asked to look into this matter and report back to the Board.

Mr. Bosiger next asked the Board of Supervisors to approve a new panel of physicians for Workers Compensation.

Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following panel of physicians for Workers Compensation:

PRIMARY CARE PHYSICIANS

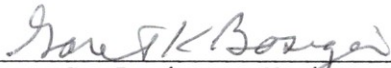
John A. Hoffman, M.D.	401 Court Street	(804)352-8235
Kenneth Powell, M.D.	Appomattox, VA 24522	
Rona K. Wright, M.D.		
Stephen L. Thompson, M.D.	#1 Main Street	(804)332-7367
	Rustburg, VA 24588	
Donald Branson, M.D.	Blue Ridge Occupational Health	(804)385-4184
	2137 Lakeside Dr.; Suite 100	
	Lynchburg, VA 24501	

The following physicians are to be used upon referral of the primary care physician

Central Virginia Orthopedics 2019 Tate Springs Road (804)845-7035
 John Barnard, M.D. Lynchburg, VA 24501
 Harry C. Eshenroeder, M.D.
 James E. Foster, M.D.
 William Frank, M.D.
 Robert Sydnor, M.D.

Blue Ridge Orthopedics 1906 Thomson Drive (804)845-1228
 William Albers, M.D. Lynchburg, VA 24501
 Jay Hopkins, M.D.
 Joseph Wombwell, M.D.
 Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr.
 Torrence, aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 9:00 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


 Garett K. Bosiger, Chairman

A Joint Public Hearing of the Appomattox County Board of Supervisors, the Appomattox County Board of Zoning Appeals, the Appomattox Town Council and the Appomattox County Planning Commission was held on November 16, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garett K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Present (Town Council):

Ronnie Spiggle, Mayor
 R. L. Bass, Vice Mayor
 Steve Lawson
 Joyce Bennett
 Jimmy Mayberry
 Marvin Mitchell

Present (Planning Commission):

Al Sears, Chairman

Wayne Lewis
 Claude Allen Moore
 Calvin Tanner
 Marvin Mitchell
 Elizabeth Edwards
 Russell Moore
 Jim Seftor
 Kevin O'Brien

Absent (Planning Commission):
 Robert Johnson

Present: (Board of Zoning Appeals)
 Cliff Harvey
 James Cheatham
 Elizabeth Edwards
 Wayne Phelps

Absent: Matt Lair

Also Present:
 Aileen T. Ferguson
 Andy Carroll
 Thomas W. Lawson
 Mr. Caldwell, Clerk to the Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the purpose of the hearing was to receive public comment on several zoning petitions and gave the procedure for addressing comments to the Board.

Mr. Bosiger then called on Mr. Caldwell to read petition 98-356 in order that Town Council members could be excused, due to another meeting.

Mr. Caldwell read petition 98-356 of Court Street Professional Building, LLC for a conditional use permit to erect an on site sign. Property is located at 505 Court Street in the Town of Appomattox.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 98-353 of Ronald E. Franklin for a conditional use permit to allow installation of mobile home in Village District. Property is Tax Map No. 111A3-A-13A and is located on Route T-1103 between Business 460 and Route T-1112. Property is zoned V-1.

Mr. Bosiger called for comments on this petition.

Mr. Ronald Franklin came forward and gave his address as P. O. Box 1312, Pamplin, Virginia. Mr. Franklin explained that the installation of this mobile home was compatible with the area. Mr. Franklin explained that he owned several lots and felt this would improve the sites.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition 98-354 of Thomas D. Jones for a variance to paragraph 170-81 of the Appomattox County Zoning Ordinance pertaining to location of Accessory Building. Property is Tax Map Parcel No. 91-A-41 and is located on Route 620 between Route 621 and Route 619. Property is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. Thomas D. Jones came forward and gave his address as Route 1 Box 80A, Pamplin, Virginia. Mr. Jones stated that he was requesting this variance in order to put up metal carport for boat storage. Mr. Jones continued that there was not enough room to put this behind the house because of the woods. Mr. Jones stated that he would like to put this beside the house where there is already a driveway and a carport.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 98-355 of Bobby E. Moore to rezone property from A-1 to M-1 with Conditional Use Permit to allow Truck and Trailer storage and repairs and contractor facilities to include sandblasting. Property is Tax Map Parcel No. 72 (A) railroad right of way. Property is located on Route 741 between Route 24 and Dead End.

Mr. Bosiger called for comments on this petition.

Mr. Ken McBride came forward and stated that he was speaking on behalf of Mr. Moore and that he worked for Realtor Dewitt, 8314 Timberlake Road, Lynchburg, Virginia. Mr. McBride stated that this property was unique in that it had road frontage on three state maintained roads. Mr. McBride continued that the only logical and reasonable access was from route 741. Mr. McBride explained that the developmental area on this property was below the route 741 roadbed and that with only three homes on route 741 this was a relatively low-density area. Mr. McBride explained that natural vegetation would help with blocking from public view anything that would take place on this property. Mr. McBride continued that it would not totally block any business-taking place on the subject property from view but it would minimize what was within view. Mr. McBride gave the historical background on this property explaining that in the mid 1960s' this

right-of-way ceased to be used by the railroad as a railroad yard or terminal. After that the property was used as a wood yard which caused dense truck traffic with people bringing in and taking out wood and wood by-products. Mr. McBride explained that the residents in this area were used to dealing with considerable truck traffic due to the railroad and wood yard that had previously occupied this lot. Mr. McBride stated that the County had been looking in this direction previously considering the approval of the telecommunication tower that had been installed in close proximity to this lot. Mr. McBride explained that another reason that Mr. Moore was interested in locating this business at this location was the close proximity to his present trucking business. Mr. McBride explained that the new operation involved removing mill scales from steel structures, "T" beams, preparing them for painting. Mr. McBride explained that project was started in January 1998 and that since that date the property had been used for sandblasting a total of thirty-five days. Mr. McBride explained that NO painting was taking place on this property. Mr. McBride explained that this business would have a positive impact due to the fact that it was a 1/3 of a million-dollar project that would produce four new jobs in the area. Mr. McBride explained that Mr. Moore wanted to cause as little impact on the community as possible and therefore he had offered several conditions that may prove to alleviate any negative impact of the project. In closing Mr. McBride asked the Board to consider all aspects to this petition. Mr. McBride then presented a letter from Mr. David Martin supporting Mr. Moore's petition.

Mr. Bosiger called for other comments on this petition.

Mr. Richard King came forward and gave his address as Route 1 Box 358, Madison Heights, Virginia. Mr. King explained that Mr. Moore had been doing work for him for ten years. Mr. King continued to explain that when mill scale was sandblasted from steel beams it turns into nothing more than sand. Mr. King closed by stating that he was in favor of the operation proposed by Mr. Moore.

Mr. Bosiger called for other comments.

Mr. Scott Schewel came forward and gave his address as Post Office Box 664, Concord, Virginia. Mr. Schewel explained that he had operated a pulp wood yard at this location from August of 1977 until June 1990. Mr. Schewel continued that they hauled approximately 30 to 40 loads a day, five days a week from this site and he did not feel that Mr. Moore would be hauling more than this.

Mr. Bosiger called for other comments.

Mr. Brian Selz came forward addressed the Board and Planning Commission and gave his address as P. O. Box 38, Rustburg, Virginia. Mr. Selz continued that he was representing Rueben and Nancy Bryant. Mr. Selz then presented a petition of 58 names of Concord residents that are opposed to Mr. Moore's rezoning request. (Petition on file in the Planning Commission folder). Mr. Selz also stated that a number of people that were opposed to the rezoning were in the Courthouse and he asked that they stand so the Board could see the number present. Mr. Selz began by urging the members of the Board

to use good sense and good planning practices in making a decision on this matter. Mr. Selz continued that he did not think the village of Concord was the place for an industrial site. Mr. Selz also stated that he felt if this were approved it would constitute spot zoning for Mr. Moore's personal benefit. Mr. Selz explained that everything east of this property was zoned R-1 and that this was not the proper place for M-1 district. Mr. Selz continued that this deed had been recently recorded within the last two months. Mr. Selz stated that Judge Johnston had entered an injunction to halt sandblasting on this property until the issue of the zoning and other matters could be cleared up. Mr. Selz then read from two letters that Mr. Moore had received from the Department of Environmental Quality concerning violations with Mr. Moore's operation. In closing Mr. Selz asked the Board to deny Mr. Moore's request for rezoning.

Mr. Bosiger called for other comments.

Mr. Rueben Bryant came forward and gave his address as 247 Station Lane, Concord, Virginia. Mr. Bryant continued by explaining that he was the closest landowner to the proposed enterprise. Mr. Bryant continued that in opening he would like to say that Mr. McBride had spoken about natural vegetation that would act as a buffer between Mr. Moore's operation and the dwellings on Station Lane. Mr. Bryant explained that the first thing that occurred after Mr. Moore purchased this property was that Mr. Moore cut the trees from the property. Mr. Bryant explained that Mr. Moore's representative had spoken of Mr. Moore's attempts to cooperate with the neighbors, Mr. Bryant explained that even though Mr. Moore had been told that his operation was in violation with the County ordinances, Mr. Moore had continued with operation until threatened with a summons. Mr. Bryant continued that he did not feel a good neighbor would put this type operation in his neighbor's yard. Mr. Bryant explained that in his opinion Mr. Moore was willing to sacrifice his neighbor's property for his own personal gain. Mr. Bryant read from several DEQ inspection reports concerning violations found with Mr. Moore's operation. Mr. Bryant then presented copies of these letters to the Board. Mr. Bryant continued that Mr. Moore had yet to approach him to see if some solution could be reached in this matter, quite the contrary, in Mr. Bryant's opinion, Mr. Moore had tried to aggravate the situation. Mr. Bryant continued that he hoped that the Board of Supervisors and the Planning Commission would not be beguiled with newfound promises of being a good neighbor. Mr. Bryant continued that he would acknowledge that Mr. Moore had earned some good will in the community through his involvement with the fire department. He continued that he felt that Mr. Moore had ridden that horse as far as he will be allowed to ride it. Mr. Bryant continued that Mr. Moore trades on this good will to justify his other activities, like the one that we are talking about tonight. Mr. Bryant continued that he and some of his neighbors were beginning to feel that they paid a pretty steep price for fire protection. Mr. Bryant stated that he would rather pay more taxes for the County to hire firemen if the present system was going to lead to the destruction of his property. Mr. Bryant stated that at least the cost would be spread equitably between everyone instead of Mr. Moore deciding whose property he was going to destroy next. Mr. Bryant explained that he had lived for about three decades in this house and felt that Mr. Moore had down graded his property far more than he had improved the property that he had bought from the railroad. Mr. Bryant felt that to

rezone this property to M-1 made absolutely no sense. Mr. Bryant continued that this would benefit no one but Mr. Moore. Mr. Bryant stated that to approve Mr. Moore's request would be to ignore the safety and health issues. Mr. Bryant in closing, stated that in his opinion Mr. Moore needed to relocate his business elsewhere where it will not impact peoples lives, safety, health and property. Mr. Bryant stated he was opposed to the zoning change.

Mr. Bosiger called for other comments.

Mr. David Clay came forward and gave his address as P. O. Box 1017, Concord, Virginia. Mr. Clay explained that he lived on route 800 and that he had built his house four years ago. Mr. Clay stated that he felt sandblasting was a hazard to his families health. Mr. Clay explained that he had a two-year-old daughter and he did not want her breathing this byproduct. Mr. Clay continued that he felt the sandblasting operation would be a deterrent to his property values. Mr. Clay, in closing, stated that he felt that Concord was a very nice community and that he wanted it to stay as it was. Mr. Clay stated that he was opposed to the rezoning request.

Mr. Bosiger called for other comments.

Mr. Thomas Booth came forward and gave his address as state route 800, Concord, Virginia. Mr. Booth stated that his property adjoins Mr. Moore's property. Mr. Booth said that he has lived in Concord all his life and that Concord was a bedroom community with low crime rate. Mr. Booth continued that Mr. Moore was a good community citizen but for him to place a facility like he was contemplating in the center of a residential area was not the proper place for this type operation. Mr. Booth explained that he had a two year-old granddaughter that he was concerned about her health in regards to the sandblasting operation. Mr. Booth stated in closing that he was opposed to the rezoning of this area.

Mr. Bosiger called for other comments.

Mrs. Roberta Clay came forward and gave her address as P. O. Box 1017, Concord, Virginia. Mrs. Clay continued that she had been a resident of Concord for thirty-three years. She stated that her property was appraised at \$200,000.00 and that she did not feel that the proper place for a sandblasting operation was in a residential district. Mrs. Clay continued that she had concerns for their health and the health of their daughter and that she was opposed to this rezoning request.

Mr. Bosiger called for other comments.

Mr. Mark Stratton came forward and gave his address as 83 Station Lane. Mr. Stratton stated that this was not a low-density residential area. Mr. Stratton continued that a lot of people lived in this area that could be affected by this operation. Mr. Stratton continued that he had a nine-month-old and that he was concerned with the health issue.

Mr. Bosiger called for other comments.

Mrs. Monica Martin came forward and gave her address as 177 Station Lane, Concord, Virginia. Mrs. Martin began by saying that they all thought a lot of Mr. Bobby Moore. Mrs. Martin continued that she had a five-month-old and that she had health concerns. Mrs. Martin continued that another concern that she had was that the road they live on is very narrow and when she walked her child she did not feel safe with the big trucks coming in and out. Mrs. Martin continued that she owned a historical landmark, the old Concord train station and the stationmaster's home. Mrs. Martin continued that some day they may want to restore this to its original state and that if the property across from it was zoned M-1 it may have some effect on their efforts.

Mr. Bosiger called for other comments.

Mr. Bosiger asked Mr. McBride if he would like to have Mr. Moore's supporters stand since Mr. Bryant had asked the opposition to stand.

Mr. McBride stated that he would.

Mr. Bill Bickel came forward and gave his address as 106 Acorn Drive, Concord, Virginia. Mr. Bickel began that he was very upset at the statement that Mr. Bryant had made concerning the Concord Fire Department. Mr. Bickel stated that he felt that Mr. Bryant was out of line with his comments concerning Mr. Moore's attachment to the fire department.

Mr. Bosiger interrupted Mr. Bickel and explained that this could not become a personal issue and that the Board was only able to address the facts related to the rezoning request.

Mr. Bosiger then asked Mr. Caldwell to read the letters that he had received into the record.

November 14, 1998

Bill:

I am writing to you on behalf of Bobby E. Moore of Concord, Virginia. I've known Bobby for at least 40 years. He is an outstanding citizen of our community, ready to help anyway he can when called upon individuals or community organizations. He is a long time member and hard worker of the Concord Volunteer Fire Department, giving much of his time and talents to help make it what it is.

Bobby would like to have the property he purchased from the Norfolk and Southern Railroad re-zoned from agricultural to manufacturing. This property is located where the old wood yard was some years ago.

I would like for the Board to honor Bobby's request and re-zone the property for manufacturing. I feel that Bobby will conduct his business on that property as a good neighbor. He knows he will have to comply with E.P.A.

Sincerely,
David L. Martin

P.S. Bill I gave a copy of this letter to Claude Allen Moore who's on the zoning committee.

Mr. & Mrs. E.M. Stratton
83 Station Lane,
Concord, Virginia 24538

November 11, 1998

Aileen Ferguson
County Administrator
Appomattox, VA 24522

Mrs. Ferguson:

It has been brought to my attention that a section of the old Norfolk-Southern property located on Station Lane in Concord may be rezoned to M-1. As a property owner on Station Lane I have concerns with Health and Safety. Increased traffic, and property values need to be looked at as well.

To rezone this property to M-1 would open this small dead-end road to an increase of traffic, and homeowners will have an Industry in their front yard.

We have a small child, and as he grows up we don't want to be concerned about what is across the street.

I ask you to think about the effect rezoning will have on this area. To rezone this one property will affect several property owners as well as the community.

Sincerely,
Mr. E.M. Martin

November 10, 1998

Aileen Ferguson
County Administrator
Appomattox, VA 24522

Mrs. Ferguson:

I am writing in reference to the upcoming public hearing regarding a proposed zoning change to tax map parcel no72(A) railroad right of way, from A-1 to M-1. I would like to advise you of some of the concerns my family and I have about this property.

Since this property was obtained by Mr. Bobby E. Moore, the residents of Station Lane in Concord have endured residue from illegal open air sandblasting, unsightly trailers illegally parked across from our properties, increased traffic on our one lane dead end road and bothersome noise at all hours from an illegal trucking operation.

Mr. Moore has repeatedly ignored a request from the Appomattox Office of Building and Housing to cease these operations. It seems that the county of Appomattox is unwilling to enforce it's own zoning ordinances, which to my understanding were meant to protect property owners from this very sort of thing.

Mr. Moore has also ignored an order from an agent of the Environmental Protection Agency to cease open air sandblasting. This sandblasting operation has caused serious damage to one residence. With this kind of conduct, what would lead us believe that he would adhere to the law should he be successful in having this property rezoned?

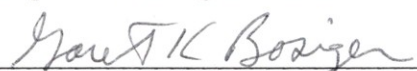
Mrs. Ferguson, we have a five month old boy, who would someday like to ride a bicycle or play in his front yard without being concerned about tractor trailer traffic or developing silicosis from breathing airborne sandblasting residue. I assure you, every family adjacent to this property is strongly opposed to any zoning change in this area, most especially an M-1 designation.

Enclosed are some photographs of the New "view" from our front door. I am sure you will find this view as offensive as we do. Needless to say, we are concerned about what may happen to the value of our property as well. We feel that an operation such as Mr. Moore's belongs in an industrial park or other areas already designated as M-1.

Thank you in advance for your attention in this matter. We would appreciate your passing on our concerns to the Planning Commission and the Board of Supervisors, and to the Office of Building and Housing, which has been less than sympathetic to complaints brought forth by some of our neighbors.

Sincerely,
Gary L. Martin
Monica C. Martin
Grayson S. Martin

Being no further petitions Mr. Bosiger declared the public hearing closed at 8:09 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on November 16, 1998 at 8:16 P.M. following the public hearing, in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District(Planning Commission Meeting)
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and explained the first item for discussion was the Town/County Sewer Agreement.

Mr. Bosiger asked Mr. Carroll to present any new information for the Board's review.

Mr. Carroll explained that the committee was continuing to review the various options but at this point it appeared the best option was going to be to purchase the needed capacity from the Town of Appomattox. Mr. Carroll explained that he hoped to have information for the Board to review by December 3, 1998. Mr. Carroll continued that the Town needed a definite response from the County by their meeting on December 14, 1998.

Mr. Bosiger thanked Mr. Carroll for his update and turned to the next item on the agenda, the recreation complex. Mr. Bosiger explained that the Board may wish to have Mrs. Dixon meet with the Sports Complex Committee to have them proceed with fund raising efforts for the new complex.

After discussion and by consensus of the Board it was agreed for Mrs. Dixon to meet with the Sports Complex Committee and have them begin their fund raising efforts.

Mr. Bosiger next explained that Bible Baptist Church would like to use the Courtland Field for their live nativity scene on December 6, 1998.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to allow Bible Baptist Church to use the Courtland Field on December 6, 1998 for their live nativity scene as long as they carried the proper insurance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several supplemental appropriation requests.

Mr. Carter made a motion seconded by Mr. Carwile to appropriate \$510.00 from the Asset forfeiture Account for distribution by the State. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to approve a line item transfer of \$1250.00 from 1101-5804 to 1101-3002 to pay for survey of 100 acres to be used for the Sports Complex. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to approve a line item transfer of \$100.00 from 1101-5804 to 7109-5615 for additional donation to the Community of Candles. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to transfer \$228,967.59 from the industrial development bond account to the capital improvement account for the month of November 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request from Mrs. Ferguson that the County is allowed to follow the Governor's Holiday Schedule given to State employees.

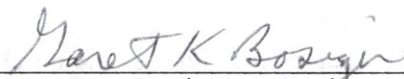
Mr. Carwile made a motion seconded by Mr. Torrence to give County employees the same holidays as the Governor has given to State employees. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger asked if any member of the Board had anything for discussion.

Mr. Carter gave a brief report on the November 12, 1998 Town Council meeting.

Mr. Bosiger reminded the other members of the Board that the next meeting was on December 7, 1998 at 6:00 P.M., which is the public hearing on the Six-Year Plan.

At 9:20 P.M. being no further business, Mr. Torrence made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on November 19, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District

Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District

Absent (Board of Supervisors):

Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Al Sears - Chairman
Wayne Lewis (late)
Kevin O'Brien
Russell Moore

Absent (Planning Commission):

Claude Allen Moore
Robert Johnson
Marvin Mitchell
Jim Seftor
Calvin Tanner
Elizabeth Edwards

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order and asked Mr. Carter to deliver the invocation.

Mr. Bosiger then explained that the purpose of the public hearing was to receive comments on proposed changes to the Appomattox County Zoning Ordinance section 170-23. Mr. Bosiger then explained the procedure for addressing comments to the Board.

Mr. Bosiger called the first person to sign up forward.

Mr. Warren Coleman came forward and stated his address as Route 1, Spout Spring. Mr. Coleman continued that he would like to see the ordinance stay as it is. He has concerns with children and tenants being affected if this section is changed. Mr. Coleman stated that he was concerned with the variance process because if a neighbor complained that the proposed dwelling would block their view that could be enough to cause the Board to deny the request.

Mr. Bosiger next called on Mr. Elantha M. Drinkard to appear before the Board.

Mr. Elantha M. "Jimmy" Drinkard came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Drinkard began that he was opposed to changing the

ordinance. He continued that he was unhappy with the number of ordinances that are already in place that are not being enforced, such as the junk automobile ordinance. Mr. Drinkard closed by stating that we should enforce the ordinances that we presently have instead of imposing new ones.

Mr. Bosiger next called on Mr. Kenneth Marston to appear before the Board.

Mr. Marston began by giving this address as Route 1, Appomattox, Virginia. Mr. Marston began by stating that he felt we had enough ordinances and that we did not need any more red tape. Mr. Marston closed that he thinks things should stay as they have been in the past.

Mr. Bosiger next recognized Mr. Wayne Phelps.

Mr. Wayne Phelps came forward and gave his address as Box 225, Appomattox, Virginia. Mr. Phelps began by stating that he was a businessman and a landholder in Appomattox. Mr. Phelps asked the Board to think about rules and regulations and explained that this Country had fought two wars over rules and regulations. Mr. Phelps continued that the Federal government had too much control and he felt that too many laws were a deterrent. Mr. Phelps continued that he felt we had enough laws on the books in Appomattox County and that the Board should leave well enough alone and keep the ordinance as it is. Mr. Phelps stated that we should live and let live and that if someone wanted to live in a trailer, fine, and if a person owned land that he wanted to put a couple of trailers on then fine. Mr. Phelps continued that you would have to hire more people if you pass more laws and that it was unnecessary. In closing Mr. Phelps stated he would like the Board to leave the ordinance as it is.

Mr. Bosiger called on Ms. Chris Morgan to come before the Board.

Ms. Chris Morgan gave her address ad Route 1 Box 402, Appomattox, Virginia. Ms. Morgan stated that she had owned land in Appomattox County since 1989. She continued that she bought this land with the ordinances the way they were and she did not think that we needed any more ordinances to control people. Ms. Morgan stated that she wants the same ordinances that applied when she purchased her property to remain in effect. She continued that she did not feel we needed any more ordinances.

Mr. Bosiger called Mrs. Nancy Jones to come forward.

Mrs. Nancy Jones came forward and stated her address as HC Box 12, Red House, Virginia. Mrs. Jones began by commending the Planning Commission for their hard work on this issue. Mrs. Jones continued that in the beginning when they voiced their concerns with changes that needed to be made they were concerned primarily with trailer parks on Route 644. Mrs. Jones continued that on Route 644, where she lives, there are many double-wides and mobile homes and that she had no objection to those. She explained that her objection was with large trailer parks in the agricultural zone. Mrs. Jones continued that as she was coming to this session she was listening on the radio to a

broadcast concerning the large amount of growth in Virginia and she considered the question to be, were we going to have a balance between agricultural and residential growth. Mrs. Jones asked are we going to plan for growth or are we going to let it just happen. Mrs. Jones stated that her wish was that this be considered carefully and that these lots in agricultural area have at least five acres in them. In closing Mrs. Jones stated that she did not feel that you could farm on less than five acres.

Mr. Bosiger next called on Mr. Evans Thomas to come before the Board.

Mr. Evans Thomas stated his address as Route 24, North of Vera. Mr. Thomas began that he would like to talk about some specifics of the proposed zoning change. Mr. Thomas stated that first of all the proposed change cuts down from having two additional dwellings to one, and secondly that the additional dwelling would be restricted to R-2 zoning thereby eliminating A-1 zoning from having additional units on that land. Mr. Thomas continued that there is a choice concerning growth in this County and as to how the Planning Commission chooses to proceed. Mr. Thomas continued that he felt that when you talked about zoning and you talked about regulating the way a person could use his or her land then we are regulating the very essence of our culture and the civilization of our County. Mr. Thomas continued that we had to look at what the proposed change was eliminating and that was the ability to put an additional dwelling in an A-1 zone. Mr. Thomas stated that there was another problem that would be addressed later which was intensive livestock but he felt that it was important to note this today because when you make a decision like this which would eliminate an additional dwelling in A-1 zoning, and then at a later meeting you look at eliminating intensive agricultural projects then we're talking about destroying the family farm. Mr. Thomas continued that we needed to consider families when the final change is made to the ordinance. He continued that with the average family having 1.7 children he would suggest allowing two additional dwellings on that agricultural parcel in order to allow parents to help their children.

Mr. Bosiger then called on Emmitt Knight Jr. to come before the board.

Mr. Emmitt Knight, Jr. stated his address as Route 1 Box 3388, Spout Spring, Virginia. Mr. Knight began by stating that he felt that a person should be able to do anything they wanted to with their own land but when you went to renting land that was subsidized by welfare that that was when government should step in. Mr. Knight continued that he felt that a man that wanted to put three or four mobile homes on his property for his children should be allowed to do so as long as he had enough land to do this. Mr. Knight continued that if the government was going to subsidize units then government should regulate them.

Mr. Bosiger called on Mr. Dan Brennan to come before the Board.

Mr. Dan Brennan began by stating his address as Route 1 Box 1960, Spout Spring, Virginia. Mr. Brennan stated that he would like to see things stay the way they are. He continued that his concern was with families paying the price if this change was passed.

Mr. Brennan also stated that he felt stronger notification laws should be in place if your neighbor was going to do something business or commercial the adjoining landowners should have to be notified. Mr. Brennan continued that he was opposed to more rules and regulations. He stated that young people today were struggling to get started and that parents almost had to help them at times.

Mr. Bosiger next called on Mrs. Shirley Wheeler to appear before the Board.

Mrs. Shirley Wheeler began by giving her address as Route 5 Box 800, Appomattox, Virginia. Mrs. Wheeler began that she would like to address the people that were concerned about farms and the low-income people and asked that they would think about what was going on in her community. Mrs. Wheeler continued that when you come into a community as small as the Chap community and put in a trailer park you were causing a problem. Mrs. Wheeler stated that she agreed that people need low income housing, but they need decent low-income housing. Mrs. Wheeler agreed that when people were starting out that they may need some assistance but as they get older they should be established and have their own homes. Mrs. Wheeler stated that her parents lived in a mobile home but it was a nice mobile that had underpinning and the insulation was not falling out from under it. Mrs. Wheeler continued that she felt when the government subsidized housing units they should come in and take a closer look at what was going on.

Mr. Bosiger called Mr. Jesse M. Rosser, Jr. to come before the Board.

Mr. Jesse M. Rosser, Jr. came forward and gave his address as Route 6 Box 1415, Appomattox, Virginia. Mr. Rosser stated that for all practical purposes he has been a lifetime resident of Appomattox County. Mr. Rosser continued that he had two comments and then he was going to read a prepared statement. Mr. Rosser stated that number one; Mr. Thomas' comments should be recorded because he hit the nail on the head. Mr. Rosser continued that the second comment was that he had been out of town and did not have a copy of the proposed changes until arriving at the meeting tonight, and that the information that he had written his statement on came from an article in the Times-Virginian. Mr. Rosser asked the members of the Board to bear this in mind as he read his prepared statement. Mr. Rosser stated that he understood that the members of the Board of Supervisors had a difficult task in front of them. Mr. Rosser read sections from an article published in the Times-Virginian concerning the proposed zoning ordinance change. Mr. Rosser continued that at this point he would like to ask two questions. Number one what are the other restrictions referred to in the article, and number two, what about land that has no dwellings? Mr. Rosser continued that the decision that would be made on the proposed changes could have dire effects on growth and future interest in living in Appomattox County. Mr. Rosser stated that it could possibly effect the planned industrial park and the future tax base. Mr. Rosser used an old quote, "If it ain't broke don't fix it." Mr. Rosser urged the Board to move slowly and set their decision on a firm foundation and take the action that was best for all citizens of Appomattox County.

Mr. Bosiger then called on Roland Haden to come before the Board.

Mr. Roland Haden came forward and gave his address as Route 3 Box 246, Appomattox, Virginia. Mr. Haden began by stating that he was unsure of everything that was going on but he had read the article in the paper and felt that he needed to address the Board with his concerns. (Mr. Wayne Lewis joined the meeting) Mr. Haden continued that he did not feel that change was needed in this ordinance. Mr. Haden stated that he was concerned with children or other members of the immediate family not being able to locate a dwelling on a large tract of land with another dwelling. Mr. Haden continued that he felt that all other requirements should be met such as sanitation, etc., but he felt that family members should be able to locate a dwelling on property without having to go to a lot of trouble. Mr. Haden cautioned the Board not to act hastily. Mr. Haden stated that he had driven out to look at the Southside District to see what the problems were and he saw no problems with density of housing. He felt that we should consider reasonable housing for everyone. Mr. Haden stated that he did not feel that any more restrictions were needed. In closing Mr. Haden stated that if you want to control the land then you should buy the land and pay the taxes on it.

Mr. Bosiger next called on Mr. Jeff Carwile to appear before the Board.

Mr. Jeff Carwile came forward and gave his address as P. O. Box 998, Appomattox, Virginia. Mr. Carwile began by saying that he agreed with Mr. Haden's comments. Mr. Carwile continued that he believed the public had spoken tonight and stated that they did not want any change to the present ordinance. Mr. Carwile stated that he agreed that there were enough ordinances and laws. He continued by stating that we do not even enforce the ones we presently have. Mr. Carwile closed by asking the members of the Board to take a long hard look before they made any decisions.

Mr. Bosiger then stated that he had two letters to read from citizens in his District. Mr. Bosiger stated that these were not his comments.

Mr. Bosiger read the following letter from Evelyn Taylor:

I do think and believe that every home, whether it be a trailer or a house should be on at least $\frac{1}{2}$ acre lot, better $\frac{3}{4}$ acre. An acre being in size a 208 x 2087 or 43,264 sq. ft. $\frac{1}{2}$ acre 104 x 208 or 21,632 sq. ft.

I do not see why in a free country anyone should have to apply for a permit to do repairs or improvements to their home. If you want to pass rules and laws than do something to benefit the people of Appomattox. Work on getting something for our young people to do so they don't have to ride around in cars and park in the parking lot. Do something to keep our factory's from closing.

I came here in 1973. I have seen one factory come in, I've seen five close, Cloverhill, Amelia, The factory at Pamplin, and now the two Courtland factory. Why do we need to put out money for an industrial park when we can't keep the factory's we have open.

As for what was done to Jeff Carwile everyone in this room had better think what might happen to us if this can be done to him. I drove down on 694 to where these

trailors are. I see nothing wrong with them. I am in Southside District. How can complaints from 12 people decide what the rest of us want or how we feel. The night of the first meeting about trailers on News 13 remarks were made about Sleepy Hallow Trailer Park. Let me tell you, from working as a property manager for over 10 years: You can do all the checks you want to but until they move in you don't know what you have. If you follow the law it take 30 to 90 days for non payment of rent for any other reason who know. Mr. Carwile has done a lot to clean up Sleepy Hallow.

Mr. Bosiger then read a letter from Julie Austin:

Many of the concerned people in this community are unable to attend tonight. I am included and therefore submit in absentia and request that this statement be read into the record of the public hearing.

First, I would like to commend the Planning Commission for attempting to find a solution to a complex issue. With minor additions, the submitted proposal will solve the problem in the R-2 zone areas. There is a potential loophole that can easily be corrected by including the following phrase to the opening paragraph."..... herein, provided that:" should be extended to read: "provided that it complies with all of the following requirements:" If this additional language is not included, people who only comply with a single requirement could very possibly be entitled to the additional dwelling. Believing that the intent of the Committee is for compliance with all four requirements, I recommend this additional language be added.

As I stated, the proposed change only addresses a clear change for the R-2 zones. People will continue to purchase large tracts of land and submit for subdivisions in agricultural A-1. One example is Southside Estates subdivision off Route 727, which borders Route 694. In plat book 4 at page 43, a 9 acre tract of land was subdivided into 9 one acre lots. Our current subdivision requirements allow divisions of such property in A-1 with the minimum lot requirement of 1 acre.

This scenario is repeated time after time. A simple survey/site plan, meeting the minimum 1 acre lot requirements can easily divide a 27 acre tract into 27 lots with 27 homes in the 27 acre area. Explore this idea further and you will see that it could easily extend a larger tracts. What about 100 one acre lots in a 100 acre? Would that not define a residential area? I think so. Such divisions are occurring on a regular basis in agricultural areas zoned A-1. We are allowing the agricultural areas to become residential areas.

My proposal requires a change to the minimum lot size requirements in the A-1 zones. In article VI; Agricultural District A-1 of our current zoning booklet, 170-32 defines the intent of this zone. I quote "Generally this district covers portions of Appomattox County which are occupied by various open uses such as farms, forests or lakes. This district is established for the specific purpose of protecting existing and future farming operations, conservation of water and natural resources, reducing soil erosion, protection of watershed and reducing hazards from flood, fire and traffic. While it is recognized

that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district."

In order to comply with our intent, we must increase the minimum lot requirements. I recommend a 10 acre minimum for lots in areas zoned A-1. To do anything less will continue to allow the current pattern of randomly placed subdivisions. The purpose of these subdivisions is clear. They create densely populated area which are the definition of residential areas. I would further recommend that no subdivisions or mobile home parks be allowed in areas zoned A-1. To allow such should require a re-zoning to designated the areas as R-2 residential areas.

Respectfully submitted by Julia C. Austin 11/19/98

Mr. Bosiger then stated that Mrs. Ferguson had received a comment and was asked to relay it to the Board:

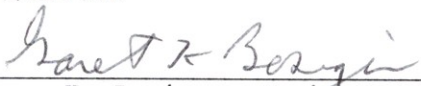
Mrs. Ferguson stated that she had been contacted by Mr. Jerry Harvey of Route 1, Spout Spring and that Mr. Harvey had stated that he had no problem with the proposed changes but he was concerned that family members not be held to this change. Mr. Harvey felt that parents should be able to place additional dwellings on their property for their children and that children should be able to do the same for elderly parents.

Mr. Bosiger then read the proposed changes to the Appomattox County Zoning Ordinance.

One (1) additional single-family dwelling may be permitted on the same lot or parcel of land as that of the main dwelling, upon application and approval as a Conditional Use per 170-6C herein, provided that:

- A. The main dwelling is located in an R-2 General Residential District.
- B. The additional dwelling conforms to the minimum lot area, minimum lot width, and maximum lot coverage and yard requirements for such a dwelling as set forth in Article XIV herein.
- C. The arrangement of such additional dwelling is in such a manner that if the lot or parcel of land is ever divided, no substandard lot or nonconforming building is created.
- D. The additional dwelling has access to a public street by means of a passageway open to the sky at least fifteen (15) feet in width.

Mr. Bosiger declared the public hearing closed at 7:42 P.M.


Gareth K. Bosiger, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on December 7, 1998 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman- Falling River District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Sandra Lindsay – VDOT Resident Engineer
Don Austin – VDOT Engineer
Robert Brown – VDOT Engineer
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the public hearing to order at 6:15 P.M. and stated the purpose of the hearing was to receive public comments on the VDOT Secondary Roads Six-Year Plan. Mr. Bosiger then turned the meeting over to Mr. Austin.

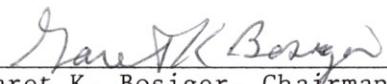
Mr. Austin explained the six-year plan for secondary road improvements in the county including unpaved roads. After his presentation, Mr. Austin then stated that this was now the time for specific requests.

Mr. Bosiger then stated that if anyone would like to come forward and make requests that they should do so at this time.

Connie S. Clark and Rosalie Scott of the Falling River District requested that (1) one mile of Route 652 be graded, drained, stabilized and surface treated.

Mr. Bosiger asked if there was anyone else that wanted to speak.

No additional requests were made. Mr. Bosiger declared the public hearing closed at 6:45 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on December 7, 1998 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger - Chairman- Falling River District
Samuel E. Carter - Appomattox Courthouse District

Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Also Present:

Thomas W. Lawson - County Attorney
Andy Carroll - Assistant County Administrator

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Moore to give the invocation.

Mr. Bosiger then called upon Mr. Hal Craddock to appear before the Board.

Mr. Craddock came forth and presented the Board with information regarding the operating costs of the renovated versus new courthouse. This information had been requested by the Board at an earlier meeting.

Much discussion occurred regarding the report, the potential parking, and the use of the current courthouse if a new courthouse were built. Mr. Craddock concluded his comments by stating that renovation would be the best alternative unless the county had use for additional office space. The Board agreed to take no action on the matter at this time.

Mr. Bosiger thanked Mr. Craddock and called for Mr. Lloyd Cobbs to appear before the Board.

Mr. Cobbs came forward and stated that he was requesting that the Board match Prince Edward County's donation to a recreational facility to be located in Prince Edward County, but that would serve the Pamplin residents, many of whom live in Appomattox County. Mr. Bosiger then read a letter from Mr. Cobbs stating that Prince Edward County would donate \$2,350 towards the facility. Mr. Cobbs further stated that the property for the facility would be leased for four years at which time it was the intention of his organization to purchase the property. Mr. Cobbs stated that the targeted youth ranged in age from 5-12 and would participate in various activities.

Mr. Torrence made a motion seconded by Mr. Carwile that the Board grant the request of \$2,350 to Mr. Cobbs' community organization to provide a playground.

After discussion. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked Mr. Cobbs and called for the Appomattox County School Board to appear before the Board.

Mr. Lannis Selz, School Board Chairman, stated that the school board had wanted to meet with the Board of Supervisors to give an early indication of financial needs that would be addressed in next years budget. These items included capital expenditures for facilities repairs, new requirements as a result of the State Standards of Learning initiative, and additional teachers. Mr. Selz stated that the school board could not provide a figure at this time, but wanted to make the Board aware of the schools needs.

After much discussion, Mr. Bosiger thanked the school board for their appearance and called for Kim and Greg Sandvig to appear before the Board.

Mr. Torrence stated that the Sandvigs could not attend due to a family illness.

Mr. Bosiger then called for Mr. Earl Dickerson of Hurt & Proffitt to appear before the Board.

Mr. Dickerson presented the Board with three options for the location of the baler operation at the landfill. Mr. Dickerson provided the Board members with site plans, engineering estimates, and discussed the advantages and disadvantage of each option. After much discussion, the Board agreed that a work session needed to be held at the landfill to better envision the plans. The Board agreed upon Saturday December 12 at 9:00 A.M. The Board also asked Mr. Dickerson to perform some additional analysis prior to the meeting.

Mr. Carroll then asked if the Board wanted to consider selling the old baler at the landfill that is currently unused. The Board agreed to sell the baler through a sealed bid process.

Mr. Carroll also asked if the Board wanted to consider repairing the Compactor wheels at this time. The cost for parts and installation was approximately \$18,000. Mr. Carroll explained that the compactor could no longer be used without the repairs or significant damage would occur to the wheels. The Board reached a consensus to delay this decision and instructed Ms. Tina Carter to discontinue use of the compactor.

Mr. Bosiger then thanked Mr. Dickerson and excused him.

Mr. Bosiger then asked for supervisors concerns.

Mr. Carwile stated that he was making a request to the Board for some temporary part-time help to assist Ottie Huddleston while she was still recovering from her recent health problems. After some discussion, it was decided that Ms. Ferguson, County Administrator should be involved in this discussion. No action was taken.

Mr. Bosiger then stated that he had a concern regarding the area farmers and the severe drought the county had experienced. Mr. Bosiger then read a resolution for drought relief that he would like the Board to consider.

WHEREAS, the drought conditions in the County of Appomattox have severely affected farmers; and

WHEAREAS, during the growing season of this year the County of Appomattox has received considerably less rain than normal while experiencing unseasonably high temperatures; and

WHEREAS, the County of Appomattox Food and Agriculture Council, made up of the Farm Service Agency, the Natural Resource Conservation Service, and Virginia Cooperative Extension

has reported that approximately 54, 000 acres of farm land has been adversely affected within the County at an estimated loss of \$987,000; and

WHEREAS, it is incumbent upon the County of Appomattox Board of Supervisors of the County of Appomattox, Virginia, that the County Administrator is hereby instructed to file with the Governor of Virginia a request that the County of Appomattox be designated as a drought disaster area.

Mr. Carwile made a motion seconded by Mr. Torrence that the Drought Declaration Resolution be adopted as read.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented the Board with a request for a resolution of support for the Central Virginia Training Center.

Mr. Torrence made a motion seconded by Mr. Carwile that the following resolution be adopted by the Board.

WHEREAS, the State of Virginia is developing a Community Facilities Master Plan for mental health, mental retardation and substance abuse service in the state;

WHEREAS, the Central Virginia Training Center is located in Amherst County, which will be impacted by any decision made as a result of this plan;

WHEREAS, many residents of Amherst County and the surrounding area earn their living working at the Central Virginia Training Center;

WHEREAS, the services rendered at the Central Virginia Training Center will be needed no matter what decisions are made with the present facility;

WHEREAS, there is a core of residents of the Central Virginia Training Center that depend on the services provided by the Central Virginia Training Center and will not be able to live a safe secure life without the Central Virginia Training Center;

WHEREAS, the parents, brothers and sisters of the residents of the Central Virginia Training Center cannot adequately provide the services now needed for many of the residents;

NOW THEREFORE, on motion of Mr. Torrence and with the following vote, the Appomattox County Board of Supervisors does hereby go on record as opposing any change in the current operation of the Central Virginia Training School and the delivery of services to the residents.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the Board to take notice of the recent auction results. Mr. Bosiger also pointed out that a car that had been donated to the sports complex had brought \$400. Mr. Bosiger asked if the Board wanted to create a separate account for sports complex funds and designate this \$400 to this fund.

Mr. Carwile made a motion seconded by Mr. Torrence that the Board create a sports complex account and that this \$400 be placed in that account.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented line item transfer for the Sheriffs Department. Mr. Moore made a motion seconded by Mr. Torrence to approve the line item transfer in the amount of \$1,130.30 from operating reserve to the Sheriffs grant category. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several supplemental appropriations:

3102-1002	\$ 532.81
3107-1004	\$ 6965.00
3107-2001	\$ 532.82
3107-2009	\$ 2.18
3501-7001	\$ 20.00
7301-5416	\$ 33.38
7301-5411	\$31,247.75
	\$ 38.94 from Law Library

Mr. Moore made a motion seconded by Mr. Torrence that the supplemental appropriations be approved. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence then made a motion seconded by Mr. Moore that \$146,873.85 be transferred from the bond account to the Capital Improvement Account. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Town of Appomattox needed to have an answer concerning the joint development of the sewer treatment plant.

After much discussion, Mr. Carter made a motion seconded by Mr. Torrence that the Board join with the Town of Appomattox for a 300,000 gpd sewer treatment plant, of which 146,000 gpd would be reserved for the county, for the ten semi-annual payments of \$147,817.50.

More discussion followed.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.
Mr. Bosiger presented to the Board the Commonwealth Attorney's request for a convention.

Mr. Carwile made a motion seconded by Mr. Carter that the request be approved. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that no action was necessary on the rezoning petition 98-355 since Mr. Bobby Moore, the petitioner, had written a letter to the Board withdrawing his request.

Mr. Bosiger then stated that the Community Services Board was requesting the Board adopt the following resolution of support:

WHEREAS, Central Virginia Community Services Board is a governmental entity created pursuant to the provisions of Chapter 10 of Title 37.1 of the Code of Virginia (Section 37.1-194 et seq.), pursuant to a joint agreement between the Counties of Amherst, Appomattox, Bedford, and Campbell, and the Cities of Bedford and Lynchburg, in order to provide those jurisdictions with mental health, mental retardation, and substance abuse services.

WHEREAS, Section 37.1-197 (11) allows Chapter 10 Boards such as Central Virginia Community Services Board to obtain loans as authorized by the governing bodies of the political subdivisions that established it.

WHEREAS, the Board of Directors of Central Virginia Community Services Board has found it in the best interest of Central Virginia Community Services Board to purchase two office buildings, one located at 2241 Langhorne Road, Lynchburg, Virginia, and the other at 2235 Landover Place, Lynchburg, Virginia, both of which they are now renting.

WHEREAS, in order to purchase both properties, Central Virginia Community Services Board needs to obtain a loan in the amount of \$1,800,000.00 on the terms set forth in the November 18, 1998 commitment letter, a copy of which is attached.

WHEREAS, Central Virginia Community Services Board has petitioned the Appomattox County Board of Supervisors to obtain the approval required by Section 37.1-199 (11) in order to obtain such loan.

THEREFORE, BE IT RESOLVED, that Central Virginia Community Services Board is hereby authorized by The Appomattox County Board of Supervisors to apply for and accept the \$1,800,000.00 loan from One Valley Bank on the terms set forth in the November 18, 1998 commitment letter.

Mr. Bosiger then asked for Mr. Moore's comments since Mr. Moore is a Central Virginia Community Services Board member. Mr. Moore stated that he felt that the refinancing of the property made a great deal of sense and he felt that the Board should pass the resolution.

Mr. Torrence made a motion seconded by Mr. Carter that the Board approve the resolution.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Board could take action on the Planning Commissions recommendation since the public hearing had been held.

Mr. Carwile stated that upon the advice of the County Attorney, he would not vote or participate in the discussion.

Much discussion followed with Mr. Bosiger suggesting that the following additional changes be made:

Proposed Amendment to Table 1 Minimum Lot Area and Lot Width for Residential Uses
A-1

Minimum Lot Area 5 acres
Minimum Lot Width 300 feet

Proposed Amendment to Table 2 Maximum Lot Coverage and Height Restrictions
Minimum Yard Requirements

Front Yard Lot Setback in A-1
200 feet

Section 170-23

Exemption for members of the immediate family or for tenant farm housing.

Mr. Bosiger stated that the board could approve the Planning Commissions recommendation and then hold a separate public hearing for the proposed changes.

Mr. Torrence made a motion seconded by Mr. Moore, that the Board accept the Planning Commissions recommendation as follows:

Change Section 170-23 to read as follows:

170-23 - Additional dwelling on single lot.

One (1) additional single-family dwelling may be permitted on the same lot or parcel of land as that of the main dwelling, upon application and approval as a Conditional Use per 170-6C herein, provided that:

- A. The main dwelling is located in an R-2 General Residential District.
- B. The additional dwelling conforms to the minimum lot area, minimum lot width, and maximum lot coverage and yard requirements for such a dwelling as set forth in Article XIV herein.
- C. The arrangement of such additional dwelling is in such a manner that if the lot or parcel of land is ever divided, no substandard lot or nonconforming building is created.
- D. The additional dwelling has access to a public street by means of a passageway open to the sky at least fifteen (15) feet in width.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, abstain; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then made a motion seconded by Mr. Torrence that the Board hold a public hearing to address the proposed ordinance changes addressing lot size and setbacks.

Proposed Amendment to Table 1 Minimum Lot Area and Lot Width for Residential Uses
A-1

Minimum Lot Area 5 acres
Minimum Lot Width 300 feet

Proposed Amendment to Table 2 Maximum Lot Coverage and Height Restrictions

Minimum Yard Requirements

Front Yard Lot Setback in A-1

100 feet

Section 170-23

Exemption for members of the immediate family or for tenant farm housing.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, abstain; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented for the Boards consideration the request for a prepaid legal plan. After some discussion the board decided they did not want to participate in such a plan.

Mr. Bosiger explained that a citizen had expressed some concern about the fact that dog owners could confine their own animals after the dog had bitten a person. The citizen has recently been bitten and was concerned about the spread of rabies. Mr. Lawson stated that the Board could do this as an interpretation of the existing code and would not need to actually change the ordinance.

Some discussion occurred.

Mr. Carwile made a motion seconded by Mr. Torrence that the Board instruct the animal warden to confine all dogs that bite someone to the pound for 10 days for rabies observation.

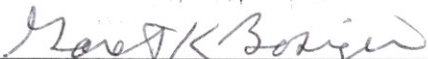
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Board had received bids on the insurance for the county.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to stay with Cabell Insurance based on the past experience with Cabell and their bid. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Moore made a motion at 10:25 P.M. to adjourn until 9:00 A.M. December 12, 1998 at the landfill, seconded by Mr. Torrence.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on December 12, 1998 at 9:00 A.M. at the Appomattox County Landfill, located on Route 632, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Tina Carter – Landfill Supervisor
Earl Dickerson – Hurt and Proffitt

Mr. Bosiger called the meeting to order at 9:08 A.M.

Mr. Bosiger explained that the purpose of meeting at the landfill was to view sites related to installation of a building to house the proposed solid waste baler.

Mr. Carwile asked Mr. Dickerson if he had any new information for the Board?

Mr. Dickerson explained that since the meeting on Monday, December 7, 1998, he had done some preliminary site work showing possible building location in area "H".

Mr. Dickerson went over each scenario with the members of the Board.

A lengthy discussion followed concerning the proposed use of site "H" as the location for the new baler facility. After discussion, and by consensus, of the Board it was agreed that the better location for the proposed new building would be in close proximity to the present scale house.

The meeting then moved outside in order for the members of the Board to take a closer look at several possible sites for building location.

After a lengthy discussion the consensus of the Board was to place the new building beside the present shop building, move the lean-to to the other side of the shop building and relocating the shed to the opposite side of the road if necessary.

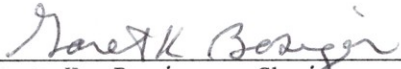
Mr. Dickerson was instructed to proceed and if he had any problem he was to contact Mrs. Ferguson and it would be at her discretion as to whether it would be necessary to contact the Board or if she felt that she could handle the problem.

Mr. Dickerson asked the Board if it cost more to move and reassemble the lean-to than to construct new would the Board want to go with the least expensive way. Mr. Dickerson was instructed to go with the least expensive way. Mr. Dickerson was also instructed to try to sell the present lean-to as is if the least expensive method was to construct new.

Mr. Bosiger next explained that it was necessary to set a public hearing date for the proposed change to the zoning ordinance.

After discussion and by consensus of the Board, it was agreed to schedule January 4, 1999 at 6:00 P.M. as the date for the public hearing on the proposed zoning change.

Being no further business, at 10:13 A.M., Mr. Moore made a motion seconded by Mr. Carter to adjourn. Vote: Mr. Bosiger, aye ; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on January 4, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order, stated the purpose of the public hearing was to receive public comment on a proposed change to the Appomattox County Zoning Ordinance. Mr. Bosiger began that he would like to give an overview before he went into the technical aspects of the purpose of meeting. He continued that most of the audience were native Virginians and live in Appomattox County. Mr. Bosiger continued that buying land and building a home were sometimes the largest single investment that we ever make. Mr. Bosiger stated that sometimes it took most of our working careers to pay for this. Mr. Bosiger stated that, therefore, we didn't necessarily want people telling us how to use it or what to do with it. Mr. Bosiger continued that only when someone around wanted to do something like a racetrack, prison, hog farm, etc., we become concerned. Mr. Bosiger stated that therein lies the problem. Mr. Bosiger continued that it was sometimes hard to find a fair balance where there is some protection and yet individual rights are maintained. Mr. Bosiger stated that as a Board they wanted to be reasonable and listen to the comments of all the citizens. Mr. Bosiger stated that there were two sides to every issue and as citizens spoke regardless of whether you agreed with their position, Mr. Bosiger requested that everyone remain courteous. Mr. Bosiger stated that the proposed changes did not effect the Town of Appomattox. The proposed changes were only recommended for Agriculture A-1 District. Mr. Bosiger continued that the essence of the proposed changes were that lot sizes in A-1 would go up to 5 acres, setbacks could change from 100' to 200' and road frontage could change from 150' minimum to 300' minimum. Mr. Bosiger continued that the Board would hear each person's opinions and that all would be taken into consideration. Mr. Bosiger stated that

the intention was not to penalize anyone. Exemptions were being made for family members. Mr. Bosiger stated that if you were proposing to develop a piece of property into one acre lots you could still do that, there would just be a zoning change at the same time that would change the zoning to residential. Mr. Bosiger stated that this would only be affecting agriculture land. Mr. Bosiger explained the procedure for addressing the Board and stated that each person would be given 3 minutes to address their comments to the Board.

Mr. Bosiger then called upon Martha Wirt to come forward.

Ms. Witz came forward and gave her address as 434 Woodland Circle, Lynchburg, Virginia. Ms. Wirt continued that she owned a 106-acre farm in the Evergreen area with no road frontage. Ms. Witz continued that it appeared that the County was penalizing her because she had no road frontage and that she was unable to do anything with her farm. She stated that she had an old farmhouse on this property and asked if because of that would she be unable to build even one dwelling on this property. Mrs. Witz stated that this farm had been in her family for generations. Ms. Witz stated that she felt that it was a very unfair law. She continued that if you wanted to limit trailer parks, then put specifications on the trailer parks that would keep the trailers clean and neat. She continued that there was a trailer park that she passed on the way to her farm and that it was kept very nice. Mrs. Witz stated that she is unhappy.

Mr. Bosiger next called on Wayne Phelps to comment.

Mr. Phelps came forward and gave his address as Route 4 Box 225, Appomattox, Virginia. Mr. Phelps stated that he was a cattle farmer and businessman in the County. Mr. Phelps continued that he respected the work of the Board and all that they had done, but he stated that he felt that most everyone present wanted to see the ordinance remain as it is. Mr. Phelps asked everyone in the audience that was against the proposed changes to stand. (The majority of the audience stood). Mr. Phelps stated that he did not want to say anything against anyone but he felt at this point in time this issue should be dropped. Mr. Phelps continued that Frank Carwile represented his district and he should not be deprived of a vote in this matter. Mr. Phelps continued that he did not care if a person owned one trailer or 1000 if they were elected they should be able to vote on any issue. Mr. Phelps then presented petitions supporting his position. (Petitions on file in the January 1999 Board File).

Mr. Bosiger stated that anyone who wished to stand and say that they agreed with Mr. Phelps comments, in lieu of making the same comments over, was free to do so by standing and giving their name and address.

The following are the names and addresses of the people who stood in agreement with Mr. Phelps comments:

Tom Conlon, Route 2, Spout Spring, Virginia
Alton Dalton, Appomattox, Virginia

Lewis G. Harvey, Route 1, Appomattox, Virginia
 Merle Thomas, Pamplin, Virginia
 Don Hudson, Route 4, Appomattox, Virginia
 Becky Padgett, Appomattox, Virginia
 William Whitmer, Spout Spring, Virginia
 Bill Burke, Appomattox, Virginia
 Christine Morgan, Appomattox, Virginia
 David Mills, Appomattox, Virginia
 Robert Morgan, Appomattox, Virginia
 Charles Morgan, Appomattox, Virginia
 Mr. & Mrs. Bob Scherle, Appomattox, Virginia
 Roberta Austin, Appomattox, Virginia
 Alton Lucado, Appomattox, Virginia
 Thomas E. Conner, Appomattox, Virginia
 Michael Carwile, Appomattox, Virginia
 L. D. Fleshman, Appomattox, Virginia
 Gerald Hodge, Appomattox, Virginia
 Lisa Stratton, Appomattox, Virginia
 Robert Stratton, Appomattox, Virginia
 Robert Tillitson, Appomattox, Virginia
 Helen Adams, Spout Spring, Virginia
 Scott Paulette, Appomattox, Virginia
 Ryland Routt, Route 1, Appomattox, Virginia
 Johnny Knight, Appomattox, Virginia
 Rosa Huff, Appomattox, Virginia
 Charles Elliott, Route 2, Appomattox, Virginia
 Margaret McNutt, Pamplin, Virginia
 Debbie Knight, Spout Spring, Virginia
 David Baker, Appomattox, Virginia
 Joan Routon, Appomattox, Virginia
 Henry Simmons, Evergreen, Virginia

Mr. Bosiger then called Steve Lambson to come forward.

Mr. Lambson came forward and gave his address as Route 1 Box 1117, Spout Spring, Virginia. Mr. Lambson began by saying that none of the changes would have any impact on him personally. Mr. Lambson stated that he made those comments because he wanted everyone to know that the comments he would be making were unbiased. Mr. Lambson continued that the County had recently started down a path to develop an industrial park and a sports complex. Mr. Lambson continued that he had been thinking about the proposed changes and trying to look at them the way someone outside the County might look at them and from reading the newspaper you get a strong sense that a lot of the proposed changes were "knee jerk" reactions. Mr. Lambson stated that in fact it reads that it started off directed at a few people and a particular circumstance and then just grew. Mr. Lambson continued that he feels that employers that would come into the County would have a lot of reservations about locating here because they might feel if

someone got a "bee in their bonnet" about something he was doing that the County may decide to have a "knee jerk" action that will effect him. Mr. Lambson stated that he did feel there might be some merit to larger lot sizes but he felt the proposed road frontage and set back changes were somewhat restrictive. Mr. Lambson cautioned the Board to take a hard look at whatever they did and to always act in the best interest of the entire County.

Mr. Bosiger called upon Allen Marston to appear before the Board.

Mr. Marston came forward and gave his address as P. O. Box 134, Red House, Virginia. Mr. Marston continued by saying that Bennie Marston was his father and that they operated a construction business. Mr. Marston stated that his father had been building quality homes in Appomattox County for more than twenty-five years. Mr. Marston stated that their concern was for young people that may not be able to afford to purchase more than one acre of land to build on. Mr. Marston continued that if these people were forced to purchase larger lots they may have to purchase mobile homes instead of building a home in order to offset the cost. Mr. Marston is also concerned that if you impose larger lot sizes you may be forcing people to go to other counties to find more affordable lots to build on. Mr. Marston stated in closing that he would hope the Board of Supervisors would allow him to continue with what his father has started with no more restrictions than his father has had.

Mr. Bosiger then called on Mr. Lester Goin.

Mr. Goin came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Goin began that most of the people had voiced most of his concerns. However, Mr. Goin stated that he had one concern that had not been addressed. Mr. Goin continued that he had one tract of land that contained approximately 400 acres with no road frontage. Mr. Goin continued that if the Board was going to kill his land then he felt that his taxes should be reduced accordingly. Mr. Goin stated that he had another farm that had a little road frontage but this proposal would hurt him. Mr. Goin continued that what he was about to say would probably make a lot of people mad but he felt that the people that could afford the 300 foot of road frontage per lot is who they should be taxing and then the Board would make them mad and they would see that the Board was out of office soon.

Mr. Bosiger called on Mr. Mike Burcher to come forward.

Mr. Burcher came forward and gave his address as Route 4, Appomattox, Virginia. Mr. Burcher began that he was a little concerned about some of the aspects of the proposed changes. Mr. Burcher stated that he had just built a new home in the Oakville area within the last year. Mr. Burcher continued that if these changes went into effect he would not be able to build his house on this lot because it contained a little over four acres. Mr. Burcher stated that he felt the 300-foot setback was excessive and that when he was seventy years old he did not want to be shoveling snow from a three hundred-foot driveway. Mr. Burcher stated that he did not feel that what he could do with his land

should be legislated. Mr. Burcher asked the Board to enforce the ordinances that were already in place and leave things alone.

Mr. Bosiger called Mr. Jeff Carwile to come forward.

Mr. Carwile gave his address as P. O. Box 998, Appomattox, Virginia. Mr. Carwile began by saying that he was at the meeting on October 5, 1998 when this ball started rolling and in his opinion what happened on October 5 is about what the Board is doing now. Mr. Carwile agreed with Mr. Lambson that the Board of Supervisors had a "knee jerk" reaction to problems in the County. Mr. Carwile continued that he did not see how a person working at Thomasville, or the industrial park or somewhere else making \$7.00 per hour could afford five acres of land. Mr. Carwile continued that he did not see how they could afford three acres. Mr. Carwile stated that he did not understand how we could say on one hand that we wanted industrial development in this County but then say there is no where to live here. Mr. Carwile stated in closing that all the heads in the courtroom needed to be counted because come November they would be counted.

Mr. Bosiger called Mr. David Austin to come forward.

Mr. Austin came forward and gave his address as Route 2 Box 676, Appomattox, Virginia. Mr. Austin asked the Board to consider several things that he was going to present. Mr. Austin stated that he felt a lot of good comments had been made at this meeting. Mr. Austin said that he did not feel that it was reasonable to require a lot of five acres for a home to be built on. Mr. Austin said that he had checked with some realtor and he told him that a five-acre lot was selling anywhere from \$15,000.00 to \$25,000.00. Mr. Austin stated that he felt the 300' road frontage and the two hundred-foot setback was also excessive. Mr. Austin used his own lot, one acre with one hundred eighty foot of road frontage, as an example of how the smaller lot was sufficient to support his dwelling and still give him a garden spot. Mr. Austin stated that he does not see the need for a lot to have to be five acres in order to build a home. Mr. Austin stated that he felt that a five-acre requirement would put a burden on young people and old people that may require them to have to go out of the County. Mr. Austin then said that Mr. Carwile had been setting on the Board for a long time and he felt that Mr. Carwile should have a vote. Mr. Austin continued that just because he had mobile home courts he should not be set aside. Mr. Austin stated in closing that he hoped the Board would leave things alone.

Mr. Bosiger then called on Mr. Forest Marshall to come forward.

Mr. Marshall gave his address as Route 691, Spout Spring, Virginia. Mr. Marshall stated that he has approximately two miles of road frontage. Mr. Marshall continued that he and his wife were holding on to this property so when they got older they could sell lots to help support them. Mr. Marshall said that if the proposed changes to the ordinance were adopted this would really dig in to his property values. Mr. Marshall said that five acres was not necessary for a house. Mr. Marshall stated that he hoped the Board would reconsider this because it was a bad proposal.

Mr. Bosiger called Mr. Jesse Rosser to come forward.

Mr. Rosser gave his address as Route 6 Box 1415, Appomattox, Virginia. Mr. Rosser continued that he had basically been a lifetime resident of Appomattox County. Mr. Rosser owns rental property in Appomattox County. Mr. Rosser stated that when he read the headlines in the December 30 issue of the Times-Virginian, SUPERVISORS DEFEND THEIR ORDINANCE, I was not only dismayed but also shocked. Mr. Rosser questioned why the Board would feel the need to mount a defense for their ordinance. Particularly after the last public hearing. Mr. Rosser continued that he was under the impression that we were living in a democracy and that elected officials should listen to their constituents. Mr. Rosser cautions the Board to listen to the voice of the people for in his opinion to do otherwise would be an abuse of power. Mr. Rosser continued that our ordinance is in line with the surrounding counties. Mr. Rosser read some statistics from the newspaper about the surrounding counties. Mr. Rosser stated in closing, "if it ain't broke don't fix it". Mr. Rosser stated that he is opposed to any zoning changes in Appomattox County.

Mr. Bosiger called Mr. Steve Conner to come forward.

Mr. Conner gave his address as the Town of Appomattox. Mr. Conner began by saying that he was in the real estate business and he was not sure if these proposed changes would effect his business or not. Mr. Conner stated that he understands that you can apply for rezoning and therefore go with smaller lot sizes. Mr. Conner stated that these changes might even help his business because the average citizen was not familiar with the rezoning process and he would be available to help them get through the process. Mr. Conner presented some statistics that he had received from Campbell County which showed that the installation of mobile homes had increased since their ordinance change requiring a minimum of 3 acres in A-1, with 300 feet of road frontage, and two hundred foot setback. Mr. Conner stated that he felt the reason for this was due to the fact that when the land cost increase people were unable to then build a home so they had to settle for a mobile home.

Mr. Bosiger called Mr. Jim Nolen to come forward.

Mr. Nolen gave his address as route 719, Appomattox, Virginia. Mr. Nolen then presented the members of the Board with a handout showing small parcel sales in Appomattox County for 1997 and 1998 (handout on file in the January 1999 Board file). Mr. Nolen then stated that he wanted the Board to know that he was opposed to any zoning changes. Mr. Nolen continued that if the proposed changes were passed it would double the price of a lot. Mr. Nolen continued to give statistics on lot sales and cost. Mr. Nolen asked the Board to leave things as they are.

Mr. Bosiger then called Mr. Daryl Puckett to come forward.

Mr. Puckett gave his address and 125 South Church Street, Appomattox, Virginia. Mr. Puckett continued to say that the proposed changes would not personally affect him but he felt they would have a detrimental effect on the community. Mr. Puckett stated that he was opposed to any changes. Mr. Puckett stated that he was opposed for basically the same reasons that the Board had already heard but there were a few others that he would like to point out. One of these is the family exemption. Mr. Puckett is mainly concerned with the definition of family member. Mr. Puckett also pointed out that certain loan institutions did not want to finance more than one acre with a house. Mr. Puckett stated that he was confused as to what the Board was trying to accomplish. Mr. Puckett questioned, is it mobile homes, is it trailer parks? If this is the issue then it should be addressed in a different manner. Mr. Puckett cautioned the Board to not take away the right of the people in trying to react to a particular situation. Mr. Puckett also cautioned the Board to consider how this would effect the people of the County down the road. Mr. Bosiger then called on Mrs. Julie Austin to come forward.

Mrs. Austin gave her address as Route 1 Box 182, Appomattox, Virginia. Mrs. Austin continued that she was a citizen of the County and a landowner in A-1. Mrs. Austin continued that she was concerned with some of the misinformation that had been published in the Times-Virginian and she went on to state what some of this misinformation entailed. Mrs. Austin continued by asking the audience how many people had copies of the zoning ordinance (Mrs. Austin counted eight hands). Mrs. Austin stated that she felt that a lot of people in the room felt that the five acre minimum was County wide but she wanted to clear that up by saying that it was only proposed for A-1. Mrs. Austin continued that if you lived in R-1 or R-2 your lot size could be smaller. Mrs. Austin stated that the current zoning ordinance was full of loopholes. Mrs. Austin read a section from the Appomattox County Zoning Ordinance that explained the intent of Agricultural Zoning. Mrs. Austin stated that according to the ordinance A-1 zoning is not geared for residential development. Mrs. Austin complemented the Board on their efforts and recognized that there was no easy way to regulate growth. Mrs. Austin continued that she supported residential development in R-2 zones.

Mr. Bosiger called on Mrs. Nancy Jones to come forward.

Mrs. Jones came forward and gave her address as HCR Box 12, Red House, Virginia. Mrs. Jones stated that she appreciates the work that the Board has done. Mrs. Jones stated that when she came to work for Appomattox County forty years ago things were a lot different. She has seen a lot of growth and change. Mrs. Jones continued that her concern was with orderly growth. Mrs. Jones stated that she felt sure all the problems that had been mentioned at this meeting could be addressed to each individuals satisfaction. Mrs. Jones thanked the Board for their time.

Mr. Bosiger called Mr. Tommy O'Brien to come forward.

Mr. O'Brien came forward and gave his address as Route 3, Appomattox, Virginia. Mr. O'Brien began that in 1988 is when this problem started. Mr. O'Brien stated that when five-acre parcels were eliminated on private roads, it brought the mobile homes out of the

bushes and put them on the state roads. Mr. O'Brien continued that every time there was a zoning change the poor people are targeted. Mr. O'Brien does not agree with the proposed setbacks. Mr. O'Brien quoted that it came out in the paper that Mr. Moore was not against developing land but he was against developers because they make money from these developments. Mr. O'Brien challenged who would develop land if they couldn't make money doing it. Mr. O'Brien asked the Board to consider this proposed carefully prior to making any changes.

Mr. Bosiger called on Mr. Bill Williamson.

Mr. Williamson came forward and gave his address as Route 4 Box 214, Appomattox, Virginia. Mr. Williamson said that everyone else had said what he had intended to say but he would ask the members of the Board to listen to the people.

Mr. Bosiger called Mr. Dale Campbell to come forward.

Mr. Campbell gave his address as Route 1 Box 2585, Spout Spring, Virginia. Mr. Campbell stated that he was against all zoning. Mr. Campbell continued that when you forced him to sell five acres lots you were causing him to use his farm up five times quicker. Mr. Campbell was also concerned that family exemptions should be in place.

Mr. Bosiger called Ms. Diane Miller to come forward.

Ms. Miller gave her address as Route 6 Box 769, Appomattox, Virginia. Ms. Miller stated that she was in favor of zoning because it protects her. Ms. Miller only cautioned the Board to be reasonable with their changes. She continued that she felt five acres was excessive for a building lot. Ms. Miller stated that if there was a problem with mobile homes or septic systems then they were the problems that should be addressed.

Mr. Bosiger called Mr. Winfred Nash to come forward.

Mr. Nash came forward and gave his address as Route 1, Appomattox, Virginia. Mr. Nash stated that he was not sure what the lot size should be but he felt that it should be somewhere between three and five acres. Mr. Nash continued that his privacy has been compromised and his property devalued due to his neighbors and their actions. Mr. Nash continued that he felt this must be dwelt with now.

Mr. Bosiger called Mr. Roland Hayden to come forward.

Mr. Hayden gave his address as Route 3 Box 246, Appomattox, Virginia. Mr. Hayden continued that he had always heard that the basic function of government was to establish and maintain an orderly society in which a free people can operate. Mr. Hayden stated that he believes the Board will do the proper thing for all citizens.

Mr. Bosiger called Mr. Frank Jones to come forward.

Mr. Jones gave his address as Route 1, Spout Spring, Virginia. Mr. Jones began by saying that the proposed changes were a bunch of bull. Mr. Jones continued that he felt the Board of Supervisors was going overboard. Mr. Jones stated that he felt that the Board had one situation to take care of and that they were going overboard by looking at bigger counties and trying to model ourselves after them. Mr. Jones continued that if these changes had been in effect when he graduated from high school he would not be living in the County today because there would be no way he could afford it. Mr. Jones continued that he started out in a trailer and now owned a home worth about one hundred thousand dollars. Mr. Jones in closing stated that he was looking after his kids down the road.

Mr. Bosiger called on Mrs. Joy Purcell to come forward.

Mrs. Purcell came forward and gave her address as Route 1 Box 1432, Spout Spring, Virginia. Mrs. Purcell began that she felt the citizens were tricked into zoning. Mrs. Purcell continued that she felt that she was in a catch 22 situation because she lived in the country and didn't want to see a lot of 1 acre lots but she did feel the Board had responded to the situation with a "knee jerk" reaction. Mrs. Purcell continued that she was not against people living in mobile homes and felt that restrictions could be made to mobile home parks not necessarily on everyone. Mrs. Purcell in closing stated that she felt peoples major concern was with the run down condition of some mobile homes.

Mr. Bosiger recognized Mr. Michael Carwile.

Mr. Carwile came forward and gave his address as Route 727, Appomattox, Virginia. Mr. Carwile stated that he owned land in both Campbell and Appomattox Counties and it was easier on him in Campbell County. Mr. Carwile continued that he started out in a mobile home and if he had had to have a five-acre lot he wouldn't be where he is now.

Mr. Bosiger then recognized Mr. Jack Wayne Burks.

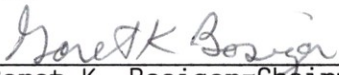
Mr. Burks came forward and gave his address as Route 3, Appomattox, Virginia. Mr. Burks began by saying that the Board of Supervisors had a terrible problem and that he did not know how they were going to solve it. Mr. Burks continued that his grandmother's uncle fought in the civil war and that was how long his family had been in Appomattox County. Mr. Burks continued that he had worked hard for what he has and he did it so that his family could do a lot better than he did when he came out of the Navy with \$1800.00. Mr. Burks stated that he owned approximately 400 acres of land in the County and he should be able to do as he pleases with what he owns. Mr. Burks asked the Board not to punish him because of what someone else was doing with mobile homes. Mr. Burks asked if anyone could tell him the Board really wanted to do?

Mr. Bosiger called Mr. Charles Elliott to come forward.

Mr. Elliott came forward and gave his address as Route 2, Appomattox, Virginia. Mr. Elliott began that the purposed changes would not effect him but they would effect his

son and his grandchildren. Mr. Elliott continued that maybe a family exemption would be given but he was still concerned. Mr. Elliott stated that he was not opposed to zoning but he was opposed to the Board taking one situation and penalizing the whole County. Mr. Elliott suggested that the Board restrict the people that were causing the problem.

Mr. Bosiger declared the public hearing closed at 7:30 P.M.


Garet K. Bosiger-Chairman

The organizational meeting of the Appomattox County Board of Supervisors was held on January 4, 1999 at 7:30 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

This being the Annual Organizational Meeting, the meeting was called to order at 7:00 P.M. by the County Administrator. The invocation was given by Mr. Bosiger and nominations for Chairman of the Board were requested. Mr. Carter nominated Mr. Bosiger as Chairman of the Appomattox County Board of Supervisors for 1999. Mr. Carwile seconded the nomination. Vote: Mr. Bosiger, abstained; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger accepted the appointment and thanked the other members of the Board for their confidence.

Mr. Bosiger opened the floor for nominations for Vice-Chairman. Mr. Moore nominated Mr. Carter as Vice Chairman of the Appomattox County Board of Supervisors for 1999. Mr. Torrence seconded the nomination. Vote: Mr. Bosiger, aye; Mr. Carter, abstained; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter accepted the nomination.

Mr. Torrence and Mr. Carwile thanked Mr. Moore for his past service as Vice-Chairman and Mr. Bosiger for again accepting the position as Chairman.

Mr. Bosiger then asked if the Board wished to adopt new rules of order.

Mr. Carwile stated that he was instrumental in having Roberts Rules of Order Simplified adopted in the past and asked that since the Board was familiar with these rules of order he would like to see the Board continue using them.

Mr. Torrence made a motion seconded by Mr. Moore to adopt Roberts Rules of Order Simplified as the Boards operating rules for 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Board needed to establish meeting dates, times and place.

Mr. Carwile stated that again, he felt that the schedule that was already in place seemed to be working well, therefore, Mr. Carwile made a motion seconded by Mr. Torrence to continue with the same schedule as adopted for 1998.

Mr. Bosiger called for discussion.

Mr. Carter stated that he would like to amend the motion to include that no new business would be started after 9:30 P.M.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked if there were any instructions for the County Administrator.

Mr. Carwile addressed Mrs. Ferguson, and included the staff and stated that with 1998 behind us and all that the Board had accomplished in 1998, he was aware of the extra workload that had been placed on the staff. Mr. Carwile stated that he would like to say that with the professional manner that Mrs. Ferguson had handled things, at times in a catch 22 situation, as well as the office and the staff, that had gone the extra mile to see that the Board received all that they needed in order to carry out the business of the County. Mr. Carwile stated that his instructions would be to hold the line and continue doing what she was doing, and if he could do anything to help, feel free to call on him.

Mr. Bosiger stated that he felt Mr. Carwile's comments were well said and he did not know what could be added to them.

Mr. Moore stated that he felt Mrs. Ferguson and the office staff had done an excellent job this past year.

Mr. Bosiger then presented the minutes for approval.

Mr. Moore made a motion seconded by Mr. Torrence to approve the minutes of the regular meetings of October 5, 1998, November 2, 1998, November 16, 1998 and December 7, 1998; the public hearings of November 16, 1998, November 19, 1998 and December 7, 1998, (as corrected) and a recessed meeting of December 12, 1998 as presented. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, no; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that Ms. Lindsay, VDOT Resident Engineer, would not be attending the meeting but there was a resolution for approval adopting the Secondary Road Improvements Six-Year plan.

Mr. Moore made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, the Board of Supervisors of Appomattox County, and the Virginia Department of Transportation held a public hearing on December 7, 1998, in accordance to Section 33.1-70.01 of the Code of Virginia at which the proposed Six Year Plan for Secondary Road Improvements for 1999-00 thru 2004-05, was presented by S. B. Lindsay, Resident Engineer for the Virginia Department of Transportation.

WHEREAS, the proposed list for the 1999-00 Secondary Road Construction Budget was also presented for consideration.

BE IT RESOLVED, that the Secondary Road Improvement Six-Year Plan for 1999-00 thru 2004-05 is hereby approved.

BE IT FURTHER RESOLVED, that the priority list for the 1999-00 Secondary Road Construction Budget is hereby approved

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Mr. Danny L. Jobe, General Manager, Nesbe Cable, to appear before the Board. Mr. Bosiger explained that the Board had requested to meet with Mr. Jobe in order to hear Nesbe Cable's plans for 1999 and to also allow Board members to express some concerns they had with present service.

Mr. Jobe stated that he would be happy to start by having the Board express their concerns and he would try to answer each one.

Mr. Carter began by asking Mr. Jobe several questions concerning fees and services.

Mr. Bosiger then informed Mr. Jobe of a complaint that he had received from a citizen.

Mr. Jobe explained what action had been taken to alleviate this problem.

Mr. Jobe then informed the Board of some plans that Nesbe Cable had for the near future and explained if the Board had any problems in the future to please contact him.

Mr. Bosiger thanked and excused Mr. Jobe.

Mr. Bosiger then called on Ms. Cynthia A. Cordova, Real Estate Specialist, U. S. Postal Service to appear before the Board.

Ms. Cordova explained that the postal service was proposing a 1500 square foot addition to the floor area at the Spout Spring Post Office. Ms. Cordova continued that as part of that addition 252 new boxes would be added for customers. Ms. Cordova explained that once construction began it should take from four to six months to complete. Ms. Cordova then stated that she would answer questions of the members of the Board.

Mr. Torrence stated that this would be a welcomed addition.

Mr. Torrence made a motion seconded by Mr. Moore to have Mrs. Ferguson write a letter supporting the Postal Service's plans to expand the Spout Spring Post Office. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Ms. Cordova and called Mr. Paul Lee, Auditor with Robinson, Farmer, Cox Associates, to appear before the Board.

Mr. Lee explained to the Board that everything went fine during the audit and that no problems were noted. Mr. Lee gave a general overview of the financial report and explained that the County ended the year with a fund balance in the range that had been recommended by Robinson, Farmer, Cox. Mr. Lee explained that under the new codification of the Code of Virginia we are no longer required to publish the Statement of Treasurer's Accountability. Mr. Lee noted that the County started the new-year close to where it was a year ago financially.

Board members asked several questions of Mr. Lee.

Mr. Bosiger thanked and excused Mr. Lee.

Mr. Bosiger called upon Mrs. Terri Conrad to appear before the Board.

Mrs. Conrad explained that she had a two-fold purpose for meeting with the Board. Mrs. Conrad continued that her first reason for meeting with the Board was to give an update on the activities of the Community Services Board. Mrs. Conrad explained that the clinic in the County had reduced their hours but they would be open five days a week for partial days. Mrs. Conrad stated that at this time there were no clients in the County waiting for services.

Mrs. Conrad then said that her other reason for meeting with the Board was to discuss VACO's steering committees. Mrs. Conrad proceeded to give the Board an explanation of what she perceived as problems with VACO's bylaws and policies. Mrs. Conrad explained to the Board that she did not feel that the County received very much

representation from VACo. Mrs. Conrad asked the Board to read the bylaws for VACO and see if the Board feels there is something that needs to be done to even the playing field with larger localities.

Mr. Torrence stated that he felt this matter was not going to be resolved at this meeting and suggested that the Board receive a copy of the bylaws for their review and possible discussion at a later date.

Mr. Bosiger thanked and excused Mrs. Conrad and called on Mr. Donald Martin to appear before the Board.

Mr. Martin came forward and explained that during the last ice storm some major leaks developed at the Health Department. Mr. Martin presented pictures of the roof for their review by the Board.

A lengthy discussion followed.

After discussion and by consensus of the Board Mr. Martin was instructed to proceed with getting plans to install a new roof system on the Health Department. Mr. Martin was also asked to have Mr. Lawson review the warranty on the present roof to see if there would be any help from that direction.

Mr. Bosiger thanked Mr. Martin for his time.

Mr. Bosiger next called for Supervisor Concerns.

Mr. Carwile began that he felt the Board had a good relationship with the people for the past seven years and he asked the other members of the Board to try to keep the relationship between the Board and the people healthy. Mr. Carwile continued that he was not going into details but he felt that some of the other Board members knew what he was talking about and he felt the Board should do their part to keep the relationship good.

Mr. Bosiger commented that he assumed that Mr. Carwile was referring to the public hearing where zoning changes were proposed. Mr. Bosiger asked the other members of the Board what their recommendations were as to when this should be discussed.

Mr. Moore felt that a round table discussion of the whole issue was in order with Mr. Caldwell, the Planning Commission and the Board of Supervisors.

Mr. Bosiger asked if this should be put on the agenda for the next meeting.

Discussion followed.

After discussion, and by consensus of the Board it was agreed to place this matter on the agenda for the meeting on January 19, 1999 after the public hearing.

Mr. Bosiger then explained that there were several committee appointments that needed to be made.

Mr. Torrence made a motion seconded by Mr. Carter to reappoint Mr. Moore to the Central Virginia Community Services Board for a term to expire December 31, 2001.
Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore Abstained; Mr. Torrence, aye.

Mr. Bosiger explained that there were two appointments necessary on the Library Board. Mr. Bosiger continued that Mr. Tom Bloodworth's and Mrs. Doris Coleman's terms expired on June 30, 1998.

After discussion and by consensus of the Board it was agreed to continue this matter until the next meeting.

Mr. Bosiger then explained that there were several supplemental appropriation requests for consideration.

Mr. Torrence made a motion seconded by Mr. Moore to make the following supplemental appropriations:

\$14,517.00 to 2109-3009

3,391.00 to 1213

3,636.00 to 1209

852.00 to 4206-5413

15.00 to 7301-5411

41.64 to 7301-5416

1304.51 from the Law Library Fund.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Treasurer had notified the Board that funds were available to transfer from the general fund into the CIP Account. Mr. Bosiger continued to explain that \$370,000.00 had been budgeted for this purpose but there was a debt service payment due on the industrial development bond in April in the amount of \$61,058.75 and the Board may wish to leave this amount in the general fund.

Mr. Carwile made a motion seconded by Mr. Torrence to transfer \$308,900.00 from the General Revenue Fund to the Capital Improvement Fund in the month of January 1999.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger stated that VACO, VML Legislative Day for 1999 was scheduled for February 11, 1999 and asked if any member of the Board was planning to attend.

Mr. Carter stated that he plans to attend this session on February 11, 1999 in Richmond.

Mr. Bosiger then presented a resolution for approval for the 125 Plan for the County.

Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

The undersigned, being all of the members of the Board of Supervisors of Appomattox County, in accordance with and pursuant to the Statutes do hereby unanimously authorize and adopt the following resolution(s):

WHEREAS, it is desirable to establish a "cafeteria plan" within the meaning of Section 125 of the Internal Revenue Code, as amended from time to time, to provide certain benefits to the Employees of the Corporation.

NOW, THEREFORE, RESOLVED, that the be and hereby is established and adopted effective to read substantially in the form presented to this Board.

FURTHER RESOLVED, that the County Administrator is authorized and directed to execute such plan documents.

FURTHER RESOLVED, that the County Administrator is authorized and directed to perform any acts and execute any documents necessary or appropriate to effectuate this resolution.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger turned the other members of the Board's attention to the landfill report from Mr. Carroll and also the letter from Hassan Vakili concerning the baler operation.

Discussion followed.

Mr. Bosiger then presented a line item transfer request for the landfill.

Mr. Torrence made a motion seconded by Mr. Carter to transfer \$7606.97 from 1101-5804 to 4242-3002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for other business.

Mrs. Ferguson informed the Board that Alison, her youngest daughter, had been selected as a page in the Senate of Virginia.

Mr. Torrence suggested that Mr. Carroll write a letter to Miss Ferguson congratulating her on her appointment.

Being no further business, Mr. Torrence made a motion seconded by Mr. Carter to adjourn at 9:32 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, the Appomattox County Planning Commission, and the Appomattox County Board of Zoning Appeals was held on January 19, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman- Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Town Council):

Ronnie Spiggle - Mayor
Rick Pack
Joyce Bennett
Marvin Mitchell

Absent (Town Council):

R. L. Bass - Vice Mayor
Jimmy Mayberry
Steve Lawson

Present (Planning Commission):

Al Sears
Marvin Mitchell
Russell Moore
Wayne Lewis
Claude Allen Moore
Elizabeth Edwards
Kevin O'Brien
Calvin Tanner

Absent (Planning Commission):

Jim Sefter
Robert Johnson

Present (Board of Zoning Appeals):

Cliff Harvey
James Cheatham
Wayne Phelps
Elizabeth Edwards
Matt Lair (late)

Also Present:

Aileen T. Ferguson – County Administrator

Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Mr. Caldwell – Clerk – Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the purpose of the hearing was to receive public comment on several zoning petitions. Mr. Bosiger then explained the procedure for addressing comments to the Board.

Mr. Bosiger then asked Mr. Caldwell, Clerk to the Planning Commission, to read the first petition.

Mr. Caldwell read petition number 99-357 of Bass & Milton Construction Co. for a conditional use permit to construct four 2-bedroom apartments on Tax Map Parcel No. 64A6-A-36 located on Lee-Grant Avenue between Route 635 and Dogwood Street. Property is zoned R-2.

Mr. Bosiger called for comments on this petition.

Mr. Ken Milton came forward and gave his address as P. O. Box 396, Appomattox, Virginia. Mr. Milton continued that he was the party requesting the conditional use permit and that he planned for these units to be kept neat and he hoped to occupy them with long term renters. Mr. Milton asked that his request be granted.

Mr. Bosiger called for other comments.

Mrs. Audrey Wright came forward and gave her address as 116 Lee-Grant Avenue. Mrs. Wright stated that she was aware of the need for additional rental property in the County but she felt that there were too many rental units on Lee-Grant Avenue already. Mrs. Wright explained that there were well over 200 rental units already available in this area, which included Dogwood Wood Apartments with over 48 units, many houses that were available for rental, as well as Lombardy Apartments. Mrs. Wright explained that there was already an excessive amount of traffic on Lee-Grant Avenue and felt that these buildings could be placed in another area in order that they did not add to the instability of the area.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-358 of Lloyd S. Cobbs, Jr. for a special exception to allow AM Radio Station and construct antenna on Tax Map Parcel No. 64A5(A)191 located on Harrell Street between Oakleigh Avenue and Church Street. Property is zoned B-1.

Mr. Bosiger called for comments on this petition.

Mr. Lloyd Cobbs came forward and stated that he was here to gain support for an AM radio station. He continued that he felt there was a great need for a gospel station for shut-ins in the area. Mr. Cobbs explained that he was working with local colleges in the area in order to make this a reality. Mr. Cobb in closing explained that this would not increase traffic in the area, nor create any additional noise. Mr. Cobb explained that he would be upgrading the building to give it a better look.

Mr. Bosiger called for other comments.

Mr. Calvin Gray came forward and gave his address as Route 2 Box 1110, Farmville, Virginia. Mr. Gray explained that he was pastor of New Jerusalem Baptist Church and that he felt there was a great need for this service to the citizens. Mr. Gray explained that this was a wholesome endeavor and that there was no local funding asked for of the Board. Mr. Gray asked that Council support this station because he felt this would be productive for the community. He continued that he felt this would be helpful in spreading the gospel.

Mr. Bosiger called for other comments.

Mr. Jack Collins came forward and gave his address as P. O. Box 2522, Appomattox, Virginia. Mr. Collins explained that in 1996 and 1997 he was the owner/operator of this radio station and that in the time that he operated this station he received no negative comments. Mr. Collins continued that the FCC had recognized a lack of gospel stations and felt this was a good endeavor. Mr. Collins stated in closing that he supported this petition.

Mr. Bosiger called for other comments on this petition.

Hearing none, Mr. Bosiger called on Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-359 of Morris Heights Apartments for a variance to rear yard setback to building as constructed. Property is Tax Map Parcel No. 64A8-1-BKC11 and is located on Dogwood Street between Lee-Grant Avenue and Gregory Street. Property is zoned R-2.

Mr. Bosiger called for comments on this petition.

Lisa Ellis came forward gave her address as Route 3 Box 62-N, Appomattox, Virginia and explained that she was speaking on behalf of Morris Heights Apartments. Mrs. Ellis explained that the original plat that was filed with the Building Inspections Department during construction and they had assumed that the site plan was approved. Mrs. Ellis continued that this was a technical error that had occurred in 1983 when the apartments were constructed and that the building could not be moved so she was asking that the Council please grant their petition.

Mr. Bosiger called for other comments.

Hearing none Mr. Bosiger called upon Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-360 of Watkins M. Abbitt, Jr. to rezone property from A-1 to R-2. Property is Tax Map Parcel No. 26-A-8A and is located on Route 608 between Route 666 and Route 605.

Mr. Bosiger called for comments on this petition.

Hearing none, and being no further petitions, Mr. Bosiger declared the public hearing closed at 7:16 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on January 19, 1999 at 7:25 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order and stated that Mr. Moore was in the Planning Commission Meeting but that he had agreed for the other members of the Board to proceed with certain Administrative Items until he was out of his Planning Commission meeting. Mr. Bosiger then asked Mr. Carter to deliver the invocation.

Mr. Bosiger next turned the Board's attention to item number four under administrative items. Mr. Bosiger explained that Anne Dixon had been asked that the receptionist position at the Community Center be increased to 37 ½ hours per week. Mr. Bosiger continued to explain that if these hours were increased there would be a need to pay certain benefits on this position.

After discussion Mr. Torrence made a motion seconded by Mr. Carwile to support the 37-½ hour workweek for the receptionist position at the community center.

A lengthy discussion followed.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that a supplemental appropriation to the budget was necessary due to the additional hours and benefits that would be necessary.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate the necessary funds to increase the receptionist position at the Community Center to 37 ½ hours per week effective February 1, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Bashore representing Regional Renaissance has requested the Board of Supervisors suggest the names of some citizens to serve on the Regional Renaissance Board of Directors.

After discussion, and by consensus of the Board, it was agreed to continue this matter until the February 1, 1999 meeting.

Mr. Bosiger then presented the Board with supplemental appropriation requests from Maintenance Department, Landfill and Animal Control.

After discussion Mr. Carwile made a motion seconded by Mr. Carter to appropriate the following:

\$600.98 from Courthouse Maintenance Fund for the month of January 1999
125.00 to 4204-3005
10.00 to 3501-5401.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a line item transfer request from operating reserve to Comprehensive Services in the amount of \$20,000.00.

Mr. Carter made a motion seconded by Mr. Torrence to transfer \$20,000.00 from 1101-5805 to 5310-3001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Rodney Lewis with Civil Rights in Education Heritage Trail was requesting a letter of support from the Board for the Civil Rights in Education Heritage Trail project. Mr. Bosiger continued that Mr. Lewis was applying for a grant for this project and the letters of support from the Counties may be of help.

Mr. Torrence made a motion seconded by Mr. Carwile to write the following letter supporting this application.

January 19, 1999

H. Wayne Carter, III, Chairman
Old Dominion RC & D Council
250 LeGrande Avenue, Suite F
Charlotte Court House, VA 23923

RE: Civil Rights in Education Heritage Trail

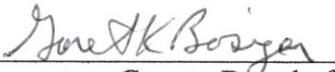
Dear Mr. Carter:

At its regular meeting January 19, 1999, the Appomattox County Board of Supervisors considered the plans of the Old Dominion Resource Conservation and Development Council, Inc. (RC&D) for the development of a heritage trail driving tour through Southside Virginia that tells the story of the role that citizens in Southside Virginia had in providing equal education for all Americans.

The Appomattox County Board of Supervisors voted unanimously to support the concept of establishing the heritage trail contingent on its review and approval of any local funding requirements. The Board directed (representative on the core committee) and the County Administrator to coordinate with Old Dominion RC&D to determine the most effective and efficient way to proceed with the project as it relates to Appomattox County.

The regional tourism project has the potential to provide economic benefits to all of Southside Virginia. If I can be of any further assistance to you on this important project, please contact me. Thank you.

Sincerely,

 Chairman
Appomattox County Board of Supervisor

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger presented a request from Green Thumb, Inc. for a \$200.00 Host Agency Payment for allowing Green Thumb to place a person at the Community Center. After discussion, no action was taken.

Mr. Bosiger then presented a request from Ms. Linda Bachman, VHDA, that the County purchase a computer for the Office of Rental Assistance. Mr. Bosiger continued that Ms. Bachman had explained that the goal of VHDA was to have each office equipped with a computer within the next six months. Ms. Bachman explained several options for the purchase of such a computer and that the cost to purchase through VHDA was \$1800.00.

Mr. Carwile addressed the Chairman and stated that he would like to say up front that this being an area that he considered a conflict of interest, this VHDA housing rental, he

would have no input, no vote and that he would abstain from everything related to this issue.

Mr. Carwile continued that this was truly a conflict of interest.

Mr. Bosiger thanked Mr. Carwile.

Mr. Carter asked if Mrs. Jones currently had a computer.

Mrs. Ferguson stated that she did not.

Discussion followed.

After discussion, and by consensus of the Board, it was agreed to hold this matter until budget discussions.

Mr. Bosiger then presented information from Dr. Krug, Superintendent of Schools concerning the next phase of roof repairs at the High School and the Ag shop.

Discussion followed.

After discussion and by consensus of the Board Mrs. Ferguson was instructed to invite Dr. Krug and the architect to the February 1, 1999 meeting to explain the repairs and go over the cost related to these repairs.

Mr. Bosiger also explained that Dr. Krug had invited any member of the Board that wished to attend the Curry Leadership Forum to please let him know by February 1, 1999 and he would make arrangements.

Mr. Torrence explained that he would like to attend this with Dr. Krug.

Mr. Bosiger then called on Mr. Tommy Lawson, County Attorney to appear before the Board and explain his concerns with the recently adopted policy on animal bites.

Mr. Lawson came forward and explained that he had requested a time on the agenda to discuss a policy change for the Animal Warden that involved picking up dogs that had bitten people. Mr. Lawson continued that the policy in question was that when a dog had bitten someone the Animal Control Officer would pick that dog up and hold it at the pound for the 10 day confinement period. Mr. Lawson explained that in trying to implement that policy they had found that it does not work in every situation. Mr. Lawson stated that he had spoken with the Animal Control Officer and Gary Gilliam the agent for the Health Department and after much discussion and review it was clear that this policy was not going to work. Mr. Lawson continued that after researching the ordinance and the Code of Virginia he felt that the previous policy should be rescinded and that the Animal Control Officer should continue to follow the guidelines set forth in the Code of Virginia.

Discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Carwile to rescind action taken at the December 7, 1998 meeting concerning picking up and holding dogs that had bitten people. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence asked if Mrs. Ferguson would report the number of dog bites that occurred over the next twelve months in order for the Board to keep abreast of this situation.

Mr. Bosiger called for Supervisor Concerns.

Mr. Bosiger then explained that he would like to start off by asking the other members of the Board for guidance in how to handle the issue of a citizen getting out of hand in a meeting.

Mr. Carter stated that he felt that Mr. Bosiger handled those situations well. Mr. Carter continued that he felt that you had adults dealing with adults and making adult decisions that they should act like adults out of respect. Mr. Carter stated that he felt that if something out of the ordinary occurred the Chairman should have the ability to address that issue and if the Chair could not solve the issue the person should be removed.

Mr. Torrence stated that he did not want to embarrass anyone in public. He continued that he felt that a brief recess might be in order to decide the appropriate action. Mr. Torrence stated that he would hate to leave this decision entirely with the Chair.

Mr. Carwile stated that he felt that it should be a standing order that at anytime whoever was Chairing or whoever was the moderator of the business or moderating the affair that if there are those that are disruptive to the point that it is disrupting the meeting he thinks that it would be standing order just to recess after calling for quiet, peace, calmness if it did not stop, then he feels that it would be in order to recess temporarily and see if that would stop the problem. Mr. Carwile continued that certainly, in the seven years that he had served on the Board, they had never been faced with a problem of this nature. Mr. Carwile stated that he understood Mr. Bosigers' concern. Mr. Carwile in closing stated that he hoped they would never be faced with this problem.

Mr. Bosiger stated that he felt that it was his job to see that everyone got the opportunity to speak, pro or con, and that they should not get disrupted and that they should be able to talk without having to shout. Mr. Bosiger continued that he felt there was impartiality that the Board had to maintain to give every citizen a like opportunity.

Mr. Carwile stated that he feels strongly that a citizen, taxpayer had the right to speak before the Board, and that if it meant the Board would have to stay there until whatever hour of the night for all to be heard, or recess to another meeting, he felt that the Board owed it to the citizens to give them ample time to speak and get their points across. He continued that he believed that the Board should listen to anyone that wanted to speak to.

Mr. Carwile stated that he felt the Board should really look hard, to improve the image of the Board, to the taxpaying citizens of the County.

Mr. Bosiger asked Mr. Carwile if he thought there should not be a time limit placed on speakers?

Mr. Carwile answered that from a roster that had been posted at the entrance to the courtroom, Mr. Bosiger should be able to determine whether a time limit was necessary by looking at the number of people that had signed up to speak. Mr. Carwile continued that at the end he felt it should be open to the citizens, to the taxpayers, that if anyone would like to come back for the second round they should be allowed to do so.

Mr. Bosiger stated that he just wanted to handle the meeting in a fair manner to everyone.

Mr. Torrence stated that he disagreed with Mr. Carwile. He continued that he did not feel that anyone would gain if you allowed people to speak as long as they wanted to. Mr. Torrence stated that he felt that Mr. Bosiger had been handling things properly.

Mr. Bosiger called for other concerns.

Mr. Carwile began that since the last public hearing he had been reached by many. He continued that he had in front of him a letter from Sonny Conner in reference to the proposed changes in Agriculture 1. Mr. Carwile continued that the letter dated January 18, 1999, Frank Carwile, Dear Frank: I attended the public hearing on the proposed changes in Agriculture A-1 at the courthouse. I felt that the meeting went well the public made its objections that the Board leave it alone. With over one hundred people saying leave it alone, three people spoke for changes, and two people said they could accept some changes like two to three acres in Agriculture A-1. I picked up the Times-Virginian Newspaper and read that the Supervisors were planning a round table discussion with the Appomattox County Planning Commission and Bill Caldwell to discuss a solution to the problem. I feel that our citizens have already spoken and said leave it like it is. I also have been hearing rumors that they plan to change Agriculture A-1 to two acres and not hold a public hearing. Why have a round table discussion if the Supervisors have made the decision. This only adds to the problem of the Supervisors putting neighbor against neighbor and I don't think we need this type of County government in Appomattox. If the Supervisors make any changes and hold a public hearing, you will hear from more citizens the next time around because of the bad publicity that has come up. Thanks for listening and speaking for the citizens of Appomattox. If I can be of any help please give me a call at 352-7771. Thomas E. Conner

Mr. Carwile stated that he just brought this to be read into the records to give the feelings of the person in reference to the public hearing. Mr. Carwile continued that with that read he had another concern. He stated that he had received a call pertaining to cows on the property that the I.D.A. owns, that they are being a nuisance getting out, and he was caught off base, but he said wait a minute, we the County taxpayers did not own that property and he would have to refer the complaint to Bill Slagle. Mr. Carwile asked for

direction from the Board as to whether he made the right decision by referring the complaint to Bill Slagle.

Mr. Bosiger said that he felt that the members of the Board were elected to represent the citizens and that they should always come to the Board with their concerns. Mr. Bosiger then asked if there were still cows on the industrial park property.

Mr. Carroll answered that he felt he could put some light on this matter. Mr. Carroll continued that the cows should have been moved by 1/1/99 and that at this time Mr. Gilliam had approximately 100 cows still left on this property. Mr. Carroll stated that Mr. Gilliam had assured him that he would move the cows as soon as possible.

Mr. Torrence spoke up and said that since all the property wasn't going to be used right away for industrial purposes that grazing the balance might be a good idea in order to keep the grass under control.

Mr. Carwile began that he had one other supervisor concern that was grave to him. He continued that he had a sense of feeling of immediacy over the issue of the proposed change in A-1 zone. Mr. Carwile continued that he was at a point that setting on the Board with the other members he was kind of, what do I do?

Mr. Carwile stated that he had Mrs. Ferguson contact the County Attorney, Mr. Lawson, to get the guidance he needed, and the response that he got back was, "I have told Frank all that I am going to tell him." Mr. Carwile asked Mrs. Ferguson if he was correct on this response.

Mrs. Ferguson responded that maybe that was not exactly correct or that maybe those exact words were not said, but that Mr. Lawson had given Mr. Carwile the guidelines for determining a conflict of interest. Mrs. Ferguson continued that Mr. Lawson indicated that he had nothing else to say about this matter.

Mr. Carwile stated that this response left him still hanging as to what he should do.

Mr. Carwile addressed Mr. Lawson and stated that in Mr. Lawson's capacity as County Attorney, he would like Mr. Lawson's legal opinion on whether or not he had a conflict of interest in discussing or voting on a matter that was before the Board concerning the proposed changes to the A-1 zoning. Mr. Carwile continued that this was the issue that was before the Board that he was anticipating...

Mr. Bosiger addressed Mr. Carwile and asked if he might interject at this point? Mr. Bosiger continued that a lot of people felt that the Board had something to do with Mr. Carwile abstaining. Mr. Bosiger stated that he tried to look at this matter and put himself in the same position. He continued that he felt that it was a personal decision that each individual had to make. He stated that he did not feel that one Board member could tell another member whether they had a conflict or not. Mr. Bosiger continued that he did not believe that any member of the Board had told Mr. Carwile that he could not vote. Mr.

Bosiger stated that he would prefer that if this discussion was about a personal conflict that Mr. Carwile and the County Attorney or Mr. Carwile and his Personal Attorney would reach that decision on their own and that the Board would not be involved.

Mr. Carwile stated that he did not direct his question to the Board because it was not a Board decision. He continued that his question was directed to the County Attorney who gave the Board advice. Mr. Carwile said that he wanted Mr. Lawson to tell him what the legal is on this matter.

Mr. Bosiger asked Mr. Carwile if he felt it was appropriate that this issue be addressed in a public meeting. Mr. Bosiger asked wouldn't it be more appropriate for Mr. Carwile and Mr. Lawson to meet and discuss this conflict and get into the depth of the conflict. Mr. Carwile stated that it was certainly in public when he was singled out and said, "I think Mr. Carwile they're speaking of you." Mr. Carwile continued that all he was trying to do tonight was have someone tell him what he was supposed to do as far as the round table discussion.

Mr. Torrence commented about a conflict of interest that he had recently read about in the Richmond Times-Dispatch.

Mr. Carwile addressed Mr. Lawson and said that he wanted to hear from Mr. Lawson as to what he would have a conflict of interest in that was being discussed tonight.

Mr. Lawson addressed the Chairman and stated that he wanted to make one thing clear at this time and that was as the County Attorney he had never told Mr. Carwile that he had a conflict of interest nor would he tell him that he had a conflict of interest until he was requested to do so. Mr. Lawson continued that tonight was the first time that he had been requested that whether in his opinion as Commonwealth Attorney not as County Attorney to determine whether Mr. Carwile had a conflict of interest or not. Mr. Lawson continued that in order to make that determination he would have to have some facts. Mr. Lawson continued that he would be glad to get the facts, that Mr. Carwile would have to provide most of them, before he could determine if Mr. Carwile had a conflict of interest or not. Mr. Lawson continued that the first time this issue came up was when there were persons before the Board talking about trailers out in the Chap area. The question came up whether Mr. Carwile had any interest in these trailers or not. Mr. Lawson stated that he did not know if Mr. Carwile had any interest in those trailers then nor does he know now. Mr. Lawson stated that Mr. Carwile started talking about this matter that night and Mr. Lawson said that as County Attorney he felt obligated to stand up and let Mr. Carwile know, because he seemed to be the focus of that meeting that night, that if you owned some interest in those trailers out in Chap, he didn't know, but he was trying to keep Mr. Carwile out of trouble as part of his job as County Attorney. He felt that he must let Mr. Carwile know that if he had a conflict of interest in the issue being discussed the land and the trailers they were talking about, that Mr. Carwile should not participate in that discussion and certainly not in that vote. Mr. Lawson concluded by saying that that was what he was trying to tell Mr. Carwile that night. Mr. Lawson stated that Mr. Carwile would have to make the decision as to whether he had a conflict or not

and that no one would know that better than Mr. Carwile. Mr. Lawson continued that he did not know what Mr. Carwile owned or what he had, he stated that he had no idea, nor would Mr. Torrence or Mr. Bosiger know nor any citizen, but Mr. Carwile did know. Mr. Lawson stated that Mr. Carwile had enough common sense to determine whether he had a conflict of interest in anything in the meeting that night. Mr. Lawson continued that is what he told Mr. Carwile that night, and the next time the Board met, and that he had never told Mr. Carwile that he had a conflict and he was not telling Mr. Carwile that he had a conflict now. Mr. Lawson stated that Mr. Carwile was going to have to make that decision. Mr. Lawson concluded by saying that if Mr. Carwile had a question he could put it in writing to Mr. Lawson and Mr. Lawson would respond in writing. Mr. Lawson stated that was his job as Commonwealth Attorney and he would be happy to do that.

Mr. Carwile addressed Mr. Lawson and stated that he had said a lot about this issue and that he had covered it very broadly. Mr. Carwile stated that that issue was behind the Board and that he had abided by, and made sure that he did not step out of line. Mr. Carwile continued that the question that he was asking Mr. Lawson was dealing with the issue before the Board tonight, of the zoning A-1, he specifically asked Mr. Lawson to tell him what would be conflict of interest. Mr. Carwile again told Mr. Lawson that he wanted Mr. Lawson to tell him what would be a conflict of interest for him.

Mr. Lawson stated that this was the third time that he had told Mr. Carwile this. But if Mr. Carwile had any interest in the outcome of this particular situation coming up tonight, whether it would benefit Mr. Carwile or be to his detriment, then Mr. Carwile would have a conflict of interest.

Mr. Carwile asked Mr. Lawson if he could give him the Code book where he was getting this information from?

Mr. Lawson stated that he was not here tonight to give Mr. Carwile a lesson in the law, but if he would like to come by his office he would be more than happy to give him the requested information.

Mr. Carwile asked Mr. Lawson if this conflict of interest of which Mr. Lawson had just stated, pertain to this issue A-1, does this apply to any other, and all Board members.

Mr. Lawson answered that certainly it applied to all Board members.

Mr. Carwile concluded that was all he needed to know.

Mr. Bosiger asked if Mr. Carwile and Mr. Lawson were finished?

Mr. Carwile replied, yes on that subject.

Mr. Moore joined the meeting.

Mr. Carwile then provided a handout for information purposed for the other members of the Board in reference to the Planning Commissions participation in the zoning process. This handout contained a synopsis of several sections of the Code of Virginia but specifically Code of Virginia Section 15.2-2285. Mr. Carwile stated that after reading this code section he did not feel that he could be part of the Board, whether he was with the Board or against the Board, voting or not voting, with what he was reading, he did not feel comfortable to be with the Board in something based on the Code of Virginia.

Mr. Bosiger asked Mr. Carwile if he could be more specific.

Mr. Carwile stated that of a public hearing that had already been held and yet the Board was to hold a round table discussion with the Planning Commission, Mr. Caldwell, etc.

Mr. Bosiger stated that the way he read this section it said that no zoning ordinance shall be amended or reenacted unless the governing body had referred the proposed amendment or reenactment to the local Planning Commission. Mr. Bosiger continued by asking Mr. Carwile if he thought that that section in any way kept the Board from discussing this issue with the Planning Commission?

Mr. Carwile stated that the issue that they would be discussing was on what had already been advertised and the public hearing had passed. Mr. Carwile contended that the Board was continuing the same issue and his concern was with the continuity of that.

Mr. Bosiger asked if Mr. Carwile felt that the Board could not discuss this issue any more because they had already held a public hearing on it.

Mr. Carwile stated that maybe they should get a legal reading from the County Attorney.

Mr. Bosiger again stated how he read the code section.

Mr. Carwile said that the way he saw this was how could you take any action or do anything other than just waste of time.

Mr. Bosiger stated that he felt that it was up to the Board to decide if they felt that discussing this matter further was a waste of time. Mr. Bosiger stated that he felt that if it went to a vote and anything other than what was in the public hearing was voted on then it would be improper. Mr. Bosiger continued that he did not know how you could stop discussion on any issue. Mr. Bosiger called for the opinion of other members of the Board.

Mr. Carter stated that in the Board of Supervisors Manuel, Sixth Edition, it addresses somewhat Mr. Carwile just handed out, which he felt was contrary to what Mr. Carwile just said.

Mr. Bosiger asked Mr. Lawson if he were prepared to give an opinion on what Mr. Carwile was saying.

Mr. Lawson said that he was not sure what the issue was.

Mr. Bosiger stated that his understanding was that this issue could not be discussed any more, that it would be improper, or illegal to discuss it.

Mr. Bosiger asked Mr. Carwile if what he had stated was what Mr. Carwile was saying.

Mr. Carwile said that he was reading and interpreting and that he had given copies to the Board for them to interpret the way they saw it.

Mr. Bosiger stated that he was interpreting this to say that the Board could not vote on this or reenact zoning ordinance that had not been properly considered but he did not feel that there was anything to keep them from discussing this issue.

Mr. Carter stated that this would be the first he had ever heard of it if that were the case.

Mr. Moore asked how would you ever resolve a problem like this if you couldn't discuss it.

Mr. Carwile stated that they should read the code of Virginia and that there it was right there. He continued that he had interpreted it the way he saw it and that the other members had to make their own interpretations. Mr. Carwile continued that he felt uncomfortable with being a part of discussion knowing this.

Mr. Torrence stated that common sense says that the public hearing was held, and the citizens spoke very plainly, but the Board still was trying to address some concerns that some people had. Mr. Torrence continued that he felt the Board would not be doing it's duty if they did not discuss this at length to make sure that everything was done to meet the concerns that had been voiced.

Mr. Carwile stated that Mr. Torrence was missing the point. He continued that in his opinion the discussion should have taken place prior to the public hearing.

Mr. Bosiger stated that if he remembered correctly they had asked the Planning Commission to make a recommendation and they did. Mr. Bosiger continued that when the recommendation came back, the Board felt they should add to the recommendation. Mr. Bosiger asked the other members of the Board if they recalled this.

Mr. Bosiger stated that at this point he felt they were taking the public input back to the Planning Commission and saying this is what we were thinking, lets rethink this. Mr. Bosiger continued that one of the things that he heard at the public hearing was don't you guys go out and make changes that you have not thought through. Mr. Bosiger stated that he heard that everything should be carefully considered for all citizens of the County.

Mr. Carwile stated that Mr. Torrence made the motion that in addition to what had already been decided that night that was put in place, to add to it with no recommendation from the Planning Commission.

Mr. Bosiger stated that the Planning Commission made a recommendation but they did not feel that it adequately addressed the Board's request.

Mr. Bosiger called for a consensus from the Board if they wanted to continue and meet with the Planning Commission as scheduled.

Mr. Carter, agreed to continue.

Mr. Moore agreed to continue.

Mr. Torrence agreed to continue.

Mr. Carwile stated that he had no vote in it.

Mr. Bosiger stated that he felt that it was perfectly legitimate to discuss this issue with the Planning Commission and therefore that was a consensus of four members so they would proceed.

Mr. Bosiger called the Planning Commission to meet with the Board.

While waiting on the Planning Commission, Mr. Bosiger explained to Mr. Moore, that there were a few matters that the Board had held until Mr. Moore finished in the Planning Commission meeting.

Mr. Bosiger continued that one of the items was the appointment of two members to the Library Board, one of which was to come from Mr. Moore's district.

After discussion, Mr. Carter made a motion seconded by Mr. Moore to reappoint Mrs. Doris Coleman, Piney Mountain District, and to appoint Mrs. Terry Cestaro, Courthouse District, to serve four-year terms to expire 6/30/2002. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Central Virginia Area Agency on Aging for assistance with the purchase of a van to be used in Appomattox County.

After discussion and by consensus of the Board, it was agreed to hold this request until budget time.

Mr. Bosiger then welcomed the Planning Commission.

Mr. Bosiger then explained that the Board had requested a meeting with the Planning Commission in order to have an open discussion concerning certain changes in the A-1

district that the Board of Supervisors had proposed. Mr. Bosiger explained that after the public hearing and considering the comments received from the public, the Board of Supervisors decided that this meeting with the Planning Commission was in order.

Mr. Bosiger welcomed the members of the Planning Commission. Mr. Bosiger asked if the Planning Commission had a good understanding of what the Board was trying to convey to them.

Mr. Sears began that he had a better understanding at this point. He continued that he had a little problem with the way this had been handled initially. Mr. Sears went on to explain that the Board had come to the Planning Commission in October asking them to look at a few of the major problems in the Zoning ordinance. Mr. Sears continued that the acreage and setbacks was not one of the requested items for them to look at. Mr. Sears stated that they spent a lot of time going over the Board's request and the Board did go along with some of their recommendations but then they overlooked and went along and jumped into the acreage size and setback size, the Board took it upon themselves to do that. Mr. Sears continued that he felt the Board should have asked the Planning Commission to look into these issues also. Mr. Sears stated that the Planning Commission was there to look into items that the Board had a problem with. Mr. Sears then asked if any other member of the Planning Commission wished to speak.

Mr. Wayne Lewis made some statements concerning family farm divisions and the fact that some controls are necessary to regulate orderly growth. Mr. Lewis continued that he felt that there were some unreasonable expectations that just changing the lot size would cure certain problems.

Mr. Torrence addressed the members of the Planning Commission and asked how were other Counties who were growing faster than we were, deal with these problems. Mr. Torrence continued that the Board and the Planning Commission should have had this discussion prior to making a recommendation, but Mr. Torrence wanted to know why the Planning Commission did not address the A-1. Mr. Torrence asked if the Board did not make it clear that this was where the problem was.

Mr. Sears answered, "not in the acreage size or the setback size".

Mr. Tanner stated that some of these things the Planning Commission read in the paper. He continued that in his opinion the Board and the Planning Commission needed to do a better job of communicating.

A lengthy discussion followed with members of the Board of Supervisors and the Planning Commission giving their opinions on what they perceived as some of the problems.

After the discussion Mr. Bosiger asked if maybe the Board needed to put into writing what they wished the Planning Commission to review for possible changes.

Mr. Sears stated that seemed to be the best solution and that when the Planning Commission received the letter they would begin review.

Mr. Bosiger thanked and excused the Planning Commission.

Mr. Bosiger then called for a recess at 10:10 P.M.

Mr. Bosiger called the meeting back to order at 10:33 P.M.

Mr. Bosiger called upon Mr. Steven Conner to appear before the Board.

Mr. Conner began by explaining that he had come before the Board at some time in the past about this same issue and he had yet to have anyone explain to him why the Subdivision Agent had the right to hold a plat for possible rezoning if the lots on that plat met the requirements of A-1. Mr. Conner continued that when he inquires as to where his plat is he is told that it has been referred to the committee. Mr. Conner said that he wanted to know what committee, when do they meet, where do they meet, and by what authority do they review subdivision plats. Mr. Conner stated that he felt that if you subdivided land and the lots met a particular zoning size, then that subdivision should be approved without the Planning Commission having the authority to recommend rezoning. Mr. Conner stated that he did not feel this committee was a legal committee and wanted to know by what authority they functioned.

Questions and discussion followed.

After discussion, Mrs. Ferguson was instructed to find out the answers to Mr. Conner's questions.

Mr. Bosiger then explained that an executive session was necessary under section 2.1-344.1 to discuss a personnel matter.

Mr. Bosiger continued that before the Board entered into executive session, he had been asked to invite the members of the Board to the rescue squad installation of officer's banquet on February 6, 1999 at 6:00 p.m. at the new building.

At 10:44 P.M. on a motion by Mr. Moore seconded by Mr. Carter it was agreed to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence at 11:15 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Carter the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Torrence made a motion seconded by Mr. Carter to adjourn at 11:15 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A special meeting of the Appomattox County Board of Supervisors was held on January 22, 1999 at 5:00 P.M. in the County Administrator's Office, Morton Lane, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Courthouse District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Frank H. Carwile – Wreck Island District

Also Present:

Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order at 5:03 P.M. and called on Mr. Carroll to explain the purpose of the special meeting.

Mr. Carroll stated that the purpose of the meeting was to appoint the Industrial Development Authority of Appomattox County as the Overall Economic Development

Program Committee so that an Overall Economic Development Program could be developed, adopted, and implemented. Mr. Carroll further explained that the document was a specific requirement of the Economic Development Administration in order to receive grant funding.

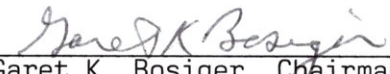
After some discussion, Mr. Moore made the following motion seconded by Mr. Torrence. To appoint the Industrial Development Authority of Appomattox County, Virginia as the Overall Economic Development Program Committee for Appomattox County and instruct the committee to develop, adopt, and implement said Overall Economic Development Program for Appomattox County as this is a requirement to receive designation as an EDA Redevelopment Area by the Economic Development Administration of the United States Department of Commerce.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; and Mr. Torrence, aye.

Mr. Bosiger then stated that there was no further action to take at this meeting.

At 5:06 P.M. Mr. Torrence then made a motion seconded by Mr. Moore to adjourn.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; and Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 1, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman - Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Torrence to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the public hearings of January 4, 1999 and January 19, 1999; the regular meeting of January

19, 1999 and a special meeting of January 22, 1999 as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by explaining that two resolutions had been provided in advance for the Board to review. Ms. Lindsay then asked if the Board was prepared to adopt these resolutions?

Mrs. Lindsay explained that one of the resolutions was dealing with closing a section of Route 627 and the other resolution was dealing with closing a section of Route 604.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, Route 627, 0.95 mile South of Route 600, will be reconstructed and the existing pipe culvert structure will be replaced with a precast concrete bridge.

WHEREAS, the precast concrete bridge will be built on the same location as the old structure and will require demolition of old structure prior to construction of the precast concrete bridge.

NOW, THEREFORE, BE IT RESOLVED, that this Board concurs in closing this section of Route 627 to thru traffic for the construction of the new precast concrete bridge.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, Route 604, 0.25 mile East of Route 646, will be reconstructed and the existing bridge will be replaced with precast concrete bridge.

WHEREAS, the precast concrete bridge will be built on the same location as the old structure and will require demolition of old structure prior to construction of the precast concrete bridge.

NOW, THEREFORE, BE IT RESOLVED, that this Board concurs in closing this section of Route 604 to thru traffic for the construction of the new concrete bridge.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Ms. Lindsay stated that the resolutions were all the business that she had and asked the members of the Board if they had anything for her.

Mr. Moore explained that he had followed a VDOT front-end loader down route 26 and the driver had not pulled over to allow traffic to pass safely.

Ms. Lindsay stated that she would look into this and see that it was corrected.

Mr. Carter asked if there were plans in place to repair the rough patch of road in front of the daycare on Route 460.

Ms. Lindsay explained that this matter would be corrected when the weather permitted.

Ms. Lindsay then explained that a Primary Pre-allocation hearing had been scheduled for March 29, 1999 at the Lynchburg Residency Office.

Mr. Bosiger asked if it would make any difference to Appomattox which route the Lynchburg bypass took.

Ms. Lindsay explained that Appomattox would not be effected in any way by this decision.

Being nothing further for Ms. Lindsay, she was thanked and excused.

Mr. Bosiger then called on Dr. Krug, Blair Smith, and Billy Perrow to appear before the Board.

Mr. Smith began by saying the Board had requested his presence to discuss the plans for the high school roof repairs.

Mr. Smith then reviewed the estimate and the plans for the next phase of high school roof repair. Mr. Smith also answered questions of the members of the Board.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to allow the School Board to proceed with the bids for the next phase of high school roof repair. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked Mr. Smith to provide the Board with the estimate for the next phase of repairs so the Board can keep this in mind during the budget process.

Mr. Bosiger thanked and excused Mr. Smith, Dr. Krug and Mr. Perrow and called on Mr. Bobby Moore to appear before the Board.

Mr. Moore came forward and explained that he had requested an audience with the Board to discuss his rights concerning property he owns at Concord. Mr. Moore stated that the Board had requested that he remove vans that he had stored on property on Station Lane at Concord. Mr. Moore contended that he had vested rights to use this property to store his vans and that the County did not have the right to tell him to remove these vans.

Mr. Moore asked the Board to define storage. He explained that what he was doing was no more than what had been done on this property for a number of years. Mr. Moore stated that he had his rights. He continued that it had not been two years at any point that the property in question had not been used for storage.

A lengthy discussion followed.

After discussion it was agreed that Mr. Lawson would review information provided by Mr. Moore and determine the County's position. In the mean time Mr. Moore would be allowed to leave his trailers on this property until a final decision could be reached on February 16, 1999.

Mr. Bosiger thanked and excused Mr. Moore.

Mr. Bosiger next called on Mr. Earl Dickerson, Hurt and Proffitt, Inc. to appear before the Board.

Mr. Bosiger explained that Mr. Dickerson was meeting with the Board to go over information on the proposed baler operation at the landfill.

Mr. Dickerson presented a drawing on the latest site plan for the proposed baler building. Mr. Dickerson explained that the next step in the process was for the Board to hold public hearings on the proposed permits needed for the landfill. Mr. Dickerson explained that he had scheduled February 22, 1999 at 7:00 P.M. as the public hearing date for the Permit by Rule for the baler operation and March 15, 1999 at 7:00 P.M. as the public hearing date for the substantive permit amendment to allow us to place bales in the present trench. Mr. Dickerson asked if these dates were okay with the Board to hold the two necessary public hearings?

After discussion and by consensus of the Board, it was agreed that the two dates scheduled for public hearings for landfill permit amendments were fine.

Mr. Dickerson then stated that he would recommend making the needed repairs to the compactor because he felt we were not getting the compaction necessary at the present time using the loader.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to make the needed repairs to the compactor and to appropriate the necessary funds to make these repairs. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then thanked and excused Mr. Dickerson.

Mr. Bosiger next asked Mr. Bill Slagle, Chairman, I.D.A., to appear before the Board.

Mr. Slagle thanked the Board for the opportunity to come before them and update them on the progress that has been made on the industrial park. Mr. Slagle explained that the I.D.A. was looking at the year 2000 for the industrial park to be ready for the first tenant. Mr. Slagle stated that the I.D.A. planned to have the water and sewer in place in 1999. Mr. Slagle gave a very informative report on the progress being made by the I.D.A.

Mr. Bosiger thanked and excused Mr. Slagle and called on Mr. Steve Conner to appear before the Board.

Mr. Conner explained that his reason for meeting with the Board was to receive the information that he had requested at the January 19, 1999 meeting.

Mr. Bosiger provided Mr. Conner with several handouts with some of the information that he had requested.

Mr. Conner questioned if the Subdivision Review Committee for the Planning Commission could legally meet by telephone.

Mr. Lawson stated that he would have to look into this matter before he provided Mr. Conner with an answer.

Mr. Conner also asked by what criteria were these plats evaluated?

After discussion and by consensus of the Board it was agreed that Mr. Lawson would get with Mr. Sears and find the answers to Mr. Conner's questions concerning the committee and the evaluation criteria for subdivision plats.

Mr. Bosiger thanked and excused Mr. Conner and called Mr. Jim Burruss to appear before the Board.

Mr. Burruss explained that Mr. Conner represented his interest in the County and he would like to have Mr. Conner sit with him while he went over his concerns with the Board. Mr. Burruss explained that his reason for appearing before the Board was a concern that several parcels of property he had subdivided in accordance with A-1 lot requirements had been recommended by the Planning Commission for rezoning. Mr. Burruss continued that he did not feel this was legal since he had met all the subdivision requirements and his lot sizes conformed to A-1 lot size requirements. Mr. Burruss stated that he did not wish to have his lots rezoned from A-1 to R-1 or R-2 and that he did not feel the County had the right to demand that he have this done prior to approving his subdivision plat.

A lengthy discussion followed.

Mr. Bosiger assured Mr. Burruss that Mr. Lawson would look into his questions and have an answer within a month.

Mr. Bosiger thanked and excused Mr. Burruss.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carwile asked if Mrs. Ferguson had spoken with Mrs. Huddleston concerning her workload.

Mrs. Ferguson stated that she had and was satisfied that Mrs. Huddleston was comfortable with the work that she is assigned to do.

Mr. Torrence asked Mrs. Ferguson if the Department of Forestry was responsible for maintaining the fire trails in their system?

Mrs. Ferguson stated that she was unsure of whose responsibility that was but she would check with the Forestry Department.

Mr. Carter informed the Board that the following employees were retiring from Social Services: Cecil Harvey, Eva Moore, and Merle Nash.

Mr. Bosiger then explained that the Louisiana Department of Natural Resources was requesting a resolution from the Board supporting legislation that would reinvest revenues generated from federal oil and gas development on the Outer Continental Shelf to be shared with state and local governments.

Discussion followed.

After discussion, Mr. Carter made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, the development of federal oil and gas resources on the Outer Continental Shelf liquidates a capital asset of the nation; and

WHEREAS, a significant portion of the liquidated capital assets of the nation should be reinvested in the conservation and enhancement of other precious capital assets of our nation, including the coastal zone, inland habitat and wildlife resources; and

WHEREAS, coastal states that host federal offshore oil and gas development are suffering adverse impacts on their environment and increased pressure on their public services for which mitigation and compensation should be made by the federal government; and

WHEREAS, under the Mineral Lands Leasing Act, when federal mineral resources are developed on shore, the federal government shares 50% of its revenues from that development with the host state;

THEREFORE, BE IT RESOLVED, that the federal government should share with the states, annually as an entitlement, 50% of the revenues derived from federal oil and gas development on the Outer Continental Shelf, with 27% being distributed to all coastal states pursuant to the formula recommended by the OCS Policy Committee to the Department of Interior in October, 1997, and 23% being distributed to all states through the Land and Water Conservation Fund and a program of wildlife conservation initiatives; and

BE IT RESOLVED FURTHER, that Appomattox County Board of Supervisors endorses the Conservation and Reinvestment Act of 1998 that has been introduced in the United States House of Representatives (H.R. 417) and the Reinvestment and Environmental Restoration Act of 1998 that has been introduced in the United States Senate (S.2566) and recommends its enactment to the Governor of Virginia, the legislature of Virginia, the Congressional delegates of the State of Virginia, and the entire United States Congress and the Administration.

Adopted by Appomattox County Board of Supervisors this 1st day of February, 1999.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mecklenburg County Board of Supervisors was requesting a letter supporting the proceeds received from settlement negotiated with tobacco companies and the Commonwealth of Virginia be utilized to any extent necessary to mitigate the adverse impact upon tobacco growers caused by the many factors that are threatening their future.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the tobacco industry had played a proud role in the history of Appomattox County, and remains vital to the economic well-being of Appomattox County;

WHEREAS, the tobacco industry is under assault on many fronts, as a result of which the future for tobacco production in Appomattox County is seriously challenged;

WHEREAS, in the last two years the reductions in flue tobacco allotment quotas have totaled approximately thirty-four percent (34%);

WHEREAS, under "Master Settlement Agreement" negotiated with tobacco companies, the Commonwealth of Virginia will receive approximately TWO BILLION AND NO/100 \$2,000,000,000.00 DOLLARS;

WHEREAS, the Appomattox County Board of Supervisors feels strongly that the settlement funds received by the Commonwealth of Virginia should be utilized, to any extent necessary, to mitigate the adverse impact upon tobacco growers caused by the many adverse factors which now threaten the future of all tobacco growers in the Commonwealth;

IT IS, ACCORDINGLY, HEREBY RESOLVED: That the Governor and the General Assembly are urged to allocate a significant portion of the funds received by the Commonwealth of Virginia under the Master Settlement Agreement for the benefit of tobacco growers in the Commonwealth.

FURTHER RESOLVED: That the funds so allocated should be paid over to the A.L. Philpott Commission, with a specified directive that the Commission expend such money in an equitable manner for the benefit of all tobacco growers in the Commonwealth of Virginia generally, to expressly include those within Appomattox County, Virginia.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Roanoke River Basin Association for a resolution supporting and protecting the quality of the Roanoke River. After discussion Mr. Carwile made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the Roanoke River is an important resource, among other things providing spawning and nursery habitat for anadromous fish such as striped bass, shad, and herring, and nurturing one of the most expansive forested bottomland wetlands in the United States;

WHEREAS, the Roanoke River supplies critical freshwater inflow to the Albermarle-Pamlico system which is the largest lagoonal estuarine system in the United States, providing critical habitat for much of the mid-Atlantic marine fishery, and which currently experiences poor flushing, predisposing it to accelerated eutrophication or nutrient enrichment and its consequences;

WHEREAS, the current water demands within the Roanoke River Basin already deplete the volume of water in the river and its reservoirs below the minimum required to maintain acceptable instream conditions;

WHEREAS, Virginia Electric and Power Company secretly negotiated an agreement with Virginia Beach to sell Virginia Beach 60 million gallons of water a day from its

project without consulting the State of North Carolina, local governments and private organizations in the Roanoke River Basin without whose support Virginia Electric and Power Company could not have received its original license;

WHEREAS, without Virginia Electric and Power Company's dams located in North Carolina, the present withdrawal by the City of Virginia Beach would not be physically possible;

WHEREAS, the water withdrawn by the City of Virginia Beach is backed up across the state boundary into Virginia by operation of Virginia Electric and Power Company's dams;

WHEREAS, the 60 million gallons of water a day which Virginia Electric and Power Company sells to Virginia Beach exceeds the current consumptive uses by all Basin users;

WHEREAS, river flow was desperately low in summer and fall of 1998 even though the winter and spring of 1998 were among the wettest on record;

WHEREAS, Virginia Beach is using water to irrigate golf courses, fill swimming pools, attract industry, and spur growth while water levels in John H. Kerr Reservoir have fallen so low as to preclude some recreational uses;

WHEREAS, The Town of Weldon, North Carolina recently experienced difficulty in obtaining necessary approvals from environmental agencies for the use of Roanoke River water for cooling purposes by a coal-fired, power-generating facility the Town wished to attract, in major part because the flow of the Roanoke River during dry periods would already be reduced by Virginia Electric and Power Company's sale of 60 million gallons

of water a day to the City of Virginia Beach for diversion out of the Roanoke River Basin;

WHEREAS, farmers along the Roanoke River below the Virginia Electric and Power Company project depend on irrigation of crops and are likely to be injured by reduced flows that result in increased saline concentrations, which are incompatible with agricultural uses;

WHEREAS, Weyerhaeuser Corporation would be adversely affected by reduced freshwater inflows to the Lower Roanoke River which would cause saltwater intrusion upriver to the location of its water intake;

WHEREAS, the needs of future generations of Roanoke River residents have never been adequately considered by the federal agencies that issue licenses and permits for the withdrawal of 60 million gallons of water a day from the Roanoke River for use in another river basin;

WHEREAS, the target flows needed to protect Albermarle-Roanoke striped bass during spawning periods cannot be met even without the newly authorized 60 million gallons a day withdrawal;

WHEREAS, the assimilative capacity of the Lower Roanoke River has been exhausted at certain times;

WHEREAS, Virginia Electric and Power Company and the City of Virginia beach were timely advised that any construction undertaken before a new license is issued by the Federal Energy Regulatory Commission in the year 2001 would involve the risk that the Stated of North Carolina would not certify the application for a new license for Project No. 2009 or would impose conditions prohibiting withdrawals from the Project; and

WHEREAS, pursuant to Section 401 of the Federal Clean Water Act, 33 U.S.C. - 1341, the State of North Carolina has the authority to deny certification for any new license for Virginia Electric and Power Company's project or to impose conditions that would deny Virginia Electric and Power Company the right to operate its dam to allow sales of water for out-of-basin use;

NOW, THEREFORE, BE IT RESOLVED that Appomattox County Board of Supervisors urges the Governor of North Carolina and other North Carolina state officials who will have an opportunity to review and act on the request for certification submitted pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. - 1341, to the State of North Carolina by the Virginia Electric and Power Company when it applies for a new license, to impose conditions in the state certification on any new license to be issued by the Federal Energy Regulatory Commission, which conditions will fully protect the quality of the Roanoke River, as well as all current and anticipated in stream uses of that river, by prohibiting the sale of water by the licensee for withdrawal from its hydropower project.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several supplemental appropriation requests.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate the following:

\$1940.80 to 3102-5408;

276.96 to 3501-3005;

82.87 to 7301-5411;

5.00 to 7301-5401;

962.37 from the Law Library Fund for the month of January 1999.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate the following:
\$54,184.93 to 4204-3002;
7,913.58 to 4204-3002

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$66,212.89 from the Literacy Challenge grant and \$10,000.00 appropriation from the Athletic Fund for the month of February 1999, for the School Board. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Mr. Carroll was requesting approval to attend the Economic Development Annual Conference in Philadelphia at a cost of approximately \$600.00.

Mr. Carwile made a motion seconded by Mr. Torrence to approve Mr. Carroll's expenses be paid to the Economic Development Annual Conference in Philadelphia. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then turned the attention of the Board to the landfill report provided by Mr. Carroll. Mr. Bosiger asked if there were questions for Mr. Carroll concerning the report?

A general discussion followed.

Mr. Bosiger next presented a request from Mrs. Peggy Sublett of Emanuel Tire of Virginia for a letter supporting Emanuel Tire relocating their tire recycling operation in Appomattox County.

After discussion, Mr. Moore made a motion seconded by Mr. Carwile to have Mrs. Ferguson write a letter of support for Emanuel Tire relocating to a site in Appomattox County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that VHDA must have an answer concerning the placement of a computer in the Rental Assistance Office immediately. Mrs. Bachman has explained that in order to have this unit included with her purchase order she cannot wait until the budget process is complete.

Mr. Carwile stated that he would abstain from any discussion or vote on this matter.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to inform VHDA they would need to purchase this system for the Rental Assistance Office. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, abstained; Mr. Moore, aye; Mr. Torrence, aye.

During the discussion the members of the Board raised several questions concerning the Rental Assistance Program. By consensus of the Board it was agreed to ask Mrs. Jones to the February 16, 1999 meeting in order that she may explain the program and answer questions of the Board.

Mr. Bosiger then explained that there was still a Library Board position that needed to be appointed.

After discussion, Mr. Moore made a motion seconded by Mr. Carter to appoint Ann Taylor Miller to the Library Board and rescind the earlier appointment of Doris Coleman. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Ms. Cynthia J. Read, Executive Director, Employee Assistance of Central Virginia, Inc. had approached the Board wanting to provide employee assistance to County employees at a cost of approximately \$1485.00 per year.

After discussion and by consensus of the Board, the Board decided not to participate in this employee assistance program.

Mr. Bosiger next explained that Mrs. Jeri Archer, Appomattox Extension Office was asking for space to relocate the Working Wardrobe from the Social Services Office to some other location.

After discussion and by consensus of the Board it was felt that the Working Wardrobe was already located in the appropriate place.

The Board then reviewed the Planning Commission Recommendations from the January 19, 1999 public hearing. No action was necessary.

At 10:25 P.M. on a motion by Mr. Carter seconded by Mr. Torrence it was agreed to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Carter at 10:35 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

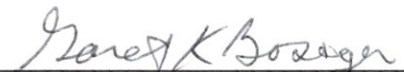
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 10:37 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on February 16, 1999 in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Planning Commission):

Marvin Mitchell
Wayne Lewis
Calvin Tanner
Russell Moore

Present (Board of Zoning Appeals):

James Cheatham
Wayne Phelps
Cliff Harvey
Matt Lair

Absent (Planning Commission):

Robert Johnson
Al Sears

Kevin O'Brien
Jim Seftor
Elizabeth Edwards
Claude Allen Moore

Absent (Board of Zoning Appeals):
Elizabeth Edwards

Also Present:
Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public hearing to order at 7:03 P.M., explained the purpose of the hearing was to receive public comments on several zoning petitions. Mr. Bosiger continued by explaining the procedure for addressing comments to the Board.

Mr. Bosiger asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called on Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 99-361 of C. Douglas Branch to rezone property from A-1 to R-1. Property is located on Route 647 between Route 668 and Route 460. Property is Part of Tax Map No. 62-A-18.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-362 of Christine I. Browning for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is Tax Map Parcel No. 108-A-14 and is located on Route 636 between Route 644 and Route 637.

Mr. Bosiger called for comments on this petition.

Mrs. Christine Browning came forward and gave her address as Route 1 Box 624, Appomattox, Virginia. Mrs. Browning stated that she wanted this approval for her son to locate a trailer on her property to help look after her home and her yard. Mrs. Browning stated that her purpose for this request was to have some one there to help her.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-363 of Thomas E. O'Brien to rezone property from A-1 to R-2. Property is located on Route 727 between Route 644 and Route 644. Property is Tax Map Parcel No. 107 (A) 37.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-364 of Beatrice Camby for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to front yard setback of dwelling. Property is Tax Map Parcel No. 89-1-10 and is zoned V-1. Property is located on Route 681 between Route 726 and Route 726.

Mrs. Camby's daughter came forward and stated that she was here to request this so that her Mother could move down here so she would be able to help take care of her. She explained that her Mother was 74 years old and needed some help.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-365 of Mr. Randy Ickley for a conditional use permit to allow home occupation (custom-built go-cart racing engine) in accessory building. Property is Tax Map Parcel No. 100-A-45 and is zoned A-1. Property is located on Route 620 between Route 622 and Route 630.

Mr. Bosiger called for comments on this petition.

Mr. Randy Ickley came forward and gave his address as Route 1 Box 74, Pamplin, Virginia. Mr. Ickley explained that he raced go-carts with 5-horse power Briggs and Stratton engines. He stated that he was willing to answer any questions that anyone might have concerning what he wanted to do. Mr. Ickley continued that this was not his prime business it was only something that he had taken up on the side.

Mr. Bosiger called for other comments.

Ms. Lori Mitchell came forward and gave her address as Route 1 Box 74. Ms. Mitchell continued that she was not here to create any animosity with her neighbor she was only concerned with the revving of the motors and the backfiring of the engines scaring her horses. She continued that she liked the quiet of living in the country and didn't want anything to disturb this.

Mr. Bosiger called for other comments.

Hearing none, and there being no further petitions, Mr. Bosiger declared the public hearing closed at 7:10 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on February 16, 1999 after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
 Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:12 P.M. and explained that Mr. Moore was in the Planning Commission meeting and that he had agreed for the other members to proceed with the Administrative Items.

Mr. Bosiger called for Supervisor Concerns.

Hearing none, Mr. Bosiger asked if Mrs. Jones would be attending the next meeting.

Mrs. Ferguson explained that Mrs. Jones was unable to attend this meeting due to a prior engagement. Mrs. Ferguson then stated that Mrs. Jones had questioned whether the Board wished for Ms. Linda Bachman, VHDA, to attend the meeting also to answer questions concerning the program.

After discussion and by consensus of the Board it was decided that it was not necessary for Ms. Bachman to attend the meeting in March.

Mr. Bosiger explained that there were several supplemental appropriation requests for consideration.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the following supplemental appropriations:

\$50.00 to 1101-5803;
 25.00 to 5310-3001;
 30.95 to 7301-5411;
 20.00 to 7301-5401.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$463.00 to 3102-5203 for a separate phone line to be installed at the jail for the breath alcohol machine, and also, \$760.81 to 3102-5408 for reimbursement check received from the insurance company. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to make a supplemental appropriation of \$500.00 to 1209-5201 for postage. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye;

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$35,476.00 from the school capital improvement fund for brickwork at the High School. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several livestock damage claims for approval.

Mr. Torrence made a motion seconded by Mr. Carter to approve a \$430.00 livestock claim for William E. Mann and a \$50.00 livestock claim for Christie Schmitt for animals killed by stray dogs. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that he and Andy were planning to attend the Virginia Economic Development Seminar on March 10, 1999. Mr. Bosiger asked if anyone else wished to attend and also asked that the Board pay his and Andy's expenses.

Mr. Carwile made a motion seconded by Mr. Carter to approve for Mr. Bosiger and Mr. Carroll to attend the Virginia Economic Development Seminar and pay their expenses. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next brought the Board's attention to the landfill report provided by Mr. Carroll.

Mr. Bosiger then asked the Board if a short recess was in order to give Mr. Moore a few minutes to join the Board?

By consensus a recess was called at 7:43 P.M.

Mr. Bosiger reconvened the meeting at 7:53 P.M.

Mr. Moore joined the meeting.

Mr. Bosiger asked Mr. Lawson if he had formed an opinion on Mr. Bobby Moore's contention that he had vested rights on property located at Concord.

Mr. Lawson stated that he had thoroughly researched the matter and consulted with Mr. Moore's attorney. Mr. Lawson stated that it was his understanding from researching information from the records that Mr. Scott Schewel had stated at the public hearing that he had operated a pulpwood yard at this site from August of 1977 until June of 1990. Mr. Lawson continued that Mr. Moore had stated that he had been leasing this property from the railroad to store his trailers since December 1, 1994. Mr. Lawson continued that the case that he had been studying says that the burden is on the landowner to show that his

non-conforming use of the property is vested. Mr. Lawson gave an explanation of vested. Mr. Lawson continued that the only non-conforming use that can be vested in his opinion would be another wood yard operation and that operation would have had to have been started within two years of Mr. Schewel ceasing his operation. Mr. Lawson stated that there had been some discussion that Mr. Schewel had storage trailers on this property when he was operating the wood yard. Mr. Lawson stated that the law explained that a use that was incidental to the primary use could not be grandfathered in. In closing Mr. Lawson stated that you cannot replace one non-conforming use with another non-conforming use.

Mr. Torrence asked Mr. Lawson where that left the Board?

Mr. Lawson stated that he felt Mr. Moore should be instructed to move the storage vans within 10 days. Mr. Lawson continued that if Mr. Moore did not comply then the Board may have to take further action. Mr. Lawson stated as a last resort the Board could request the Court for an injunction.

Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to have the County Attorney write Mr. Moore's attorney a letter explaining that he must move his trailers within 10 days from the date of the letter and to explain to Mr. Moore that it has been determined that he does not have vested rights for this type use of this property. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an executive session was in order to discuss a personnel matter and land acquisition.

At 8:08 P.M. on a motion by Mr. Torrence seconded by Mr. Moore it was agreed to enter into an executive session to discuss a personnel matter and land acquisition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence at 8:40 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the Board?

Mr. Carter made a motion seconded by Mr. Torrence that the Board hire Hurt & Proffitt, Inc. to provide an engineering study on two potential school sites and have Jim Nolen do appraisals on these sites. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business Mr. Carter made a motion seconded by Mr. Torrence to adjourn until 7:00 P.M. on February 22, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

Having been duly advertised in accord with the Code of Virginia, a public hearing of the Appomattox County Board of Supervisors was held on February 22, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Tina D. Carter – Landfill Supervisor

Mr. Bosiger called the public hearing to order at 7:00 P.M. Mr. Bosiger explained that the public hearing was being held in accordance with the Department of Environmental Quality's requirements when applying for a Permit by Rule. Mr. Bosiger continued that the public hearing was being held to inform concerned citizens of Appomattox County of the proposed Solid Waste Baling operation for the County Landfill.

Mr. Bosiger then asked Mr. Dickerson, Hurt & Proffitt, Inc., if he would provide more detailed information pertaining to the proposed baling operation.

Mr. Dickerson began by stating that the facility was designed to meet the requirements of the DEQ. He continued that the facility consisted of a 115' x 100' metal shell building on a concrete slab. Mr. Dickerson continued by providing the following facts concerning this facility:

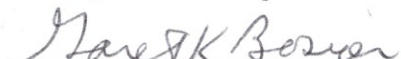
- Two ram horizontal baling machine
- Pit mounted steel-belt conveyor system feeding baler
- Leachate collection system for machines and building
- Municipal Solid Waste tipping area
- Mixed paper and cardboard tipping and sorting area
- Paved drive area to access building
- Washable surfaces with drainage to leachate collection tank
- Strategically located fire extinguishers
- Emergency eye wash station
- Continuous building ventilation
- Fork lift and wheeled loader to handle loose waste and bales
- Baler and conveyor centrally controlled
- Baler will be hooked by modem to Factory for diagnostics
- Equipment mounted and remotely mounted "Kill" switches.

In closing Mr. Dickerson explained that an operations plan and closure plan for this facility is to be developed and submitted to the DEQ as part of the permitting process.

Mr. Bosiger called for any comments on the information as presented.

Mr. Bosiger stated that there were four County citizens in the audience and no comments were received.

At 7:05 P.M. hearing no comments, Mr. Bosiger declared the public hearing closed.


Garet K. Bosiger, Chairman

After the public hearing and prior to convening the recessed meeting the members of the Board of Supervisors asked detailed questions on the design of the proposed baler operation of Mr. Dickerson.

A recessed meeting of the Appomattox County Board of Supervisors was held on February 22, 1999 after the public hearing in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District

Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 7:25 P.M. and explained that there were several recommendations from the Planning Commission that needed to be acted on by the Board.

Mr. Bosiger first presented petition number 99-362 of Christine I. Browning for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Planning Commission recommended approval because this is for a direct family member, not a permanent structure and can be moved at a later date if conditions change.

Mr. Carter made a motion seconded by Mr. Moore to approve petition number 99-362 of Christine I. Browning for a conditional use permit to allow additional dwelling on single lot in A-1 zoning district. Property is Tax Map Parcel No. 108-A-14 and is located on Route 636 between Route 644 and Route 637. Approval is granted with the following qualifying statements: 1) second dwelling is for a direct family member, 2) second dwelling is not a permanent structure, and 3) second dwelling can be moved at a later date if conditions change. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger presented petition 99-360 of Watkins M. Abbitt, Jr. and explained that the Planning Commission recommended approval.

Mr. Moore made a motion seconded by Mr. Torrence to approve petition 99-360 of Watkins M. Abbitt, Jr. to rezone property from A-1 to R-2. Property is Tax Map Parcel No. 26-A-8A and is located on Route 608 between Route 666 and Route 605. Property to be rezoned is 19 lots being with frontage on State Route 608. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the Planning Commission recommended approval of petition 99-365 of Randy Ickley for a conditional use permit to allow home occupation in accessory building.

Mr. Carwile made a motion seconded by Mr. Moore to approve petition 99-365 of Randy Ickley for a conditional use permit to allow home occupation (custom built go-cart racing engine) in accessory building. Property is Tax Map Parcel No. 100-A-45 and is zoned A-1. Property is located on Route 620 between Route 622 and Route 630. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence informed Mrs. Ferguson that Mr. Jim Nolen was not qualified to appraise commercial property and that she would need to contact someone else for the two school sites.

Mrs. Ferguson then provided copies of the FY2000 budget in order to begin review.

Mrs. Ferguson began that after recalculating the proposed budget versus revenue that there was a shortfall of approximately 1 million 500 thousand dollars.

Mrs. Ferguson continued that the projected revenue was \$20,214,355.00 and the budget requests total \$21,781,584.00.

A general discussion followed concerning the proposed budget.

Mr. Torrence asked if the Board would consider meeting March 8, 9, and 10 from 7:00 P.M. to 9:00 P.M. in an effort to prepare the budget at an early date considering that the tax rate is going to have to be set by the end of March.

By consensus it was agreed to meet these dates for budget work sessions.

Mr. Bosiger then presented a handout to the other members of the Board asking that they consider making a request of the School Board that a citizen committee be formed to do a study in all the schools to see if there were areas that money could be saved.

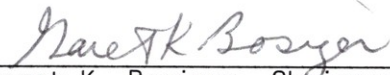
Discussion followed.

After discussion and by consensus of the Board it was agreed to write a letter to the School Board asking if they would work towards appointing this committee. The suggestion was made that the committee consists of one appointee from the Board of Supervisors, one appointee from the School Board, and one appointee chosen jointly between the two Boards.

Mr. Carwile asked if the tax rate could be changed for the second half of the year if the budget could not be balanced before the end of March.

Mr. Bosiger then began a review by department to see where the major increases are. The Board stopped review with department 2130 Magistrate.

Mr. Carter made a motion seconded by Mr. Moore to adjourn. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 1, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:02 P.M. and asked Mr. Carter to deliver the invocation.

Mr. Bosiger explained that the minutes were not ready for approval and would be presented at the next meeting.

Mr. Bosiger then called Ms. Sandra Lindsay to appear before the Board.

Mr. Lindsay explained that she did not have anything for the Board except to tell them that there would be a Primary Road Hearing in Lynchburg on March 29, 1999 if anyone wished to attend.

Mr. Bosiger asked if any member of the Board had concerns for Ms. Lindsay?

Mr. Carwile stated that he would suggest if any member of the Board had requests for the Primary Road Hearing they contact Mrs. Ferguson since she would be attending the hearing.

Mr. Torrence asked about work being done on the landfill road.

Ms. Lindsay stated that she was unaware of any work being done at this time.

Mr. Carter asked what progress was being made to move the tracks downtown?

Ms. Lindsay stated that she was unaware of the status of that project.

Being nothing else for Ms. Lindsay, she was thanked and excused.

Mr. Bosiger then called on Mrs. Shirley Jones, Rental Assistance Office, to appear before the Board.

Mrs. Jones provided a handout to the Board with explanation on how the program works. (Handout on file in the March 1999 Board File).

Mrs. Jones provided an overview of the rental assistance program and answered questions of the members of the Board.

After a lengthy discussion and by consensus of the Board Mrs. Jones was asked to provide monthly reports to the Board so the Board could become more familiar with Mrs. Jones duties.

Mr. Bosiger thanked and excused Mrs. Jones and called on Mr. Alan Farley to appear before the Board.

Mr. Farley began by thanking the Board for the opportunity to come and speak to them about the up coming reenactment. Mr. Farley provided a 1999 Budget for the Re-enactment for the Board to review. Mr. Farley explained that his basic reasons for coming before the Board were to ask that the permit fees be waived for the reenactment and two that the Board make a contribution towards paying for the sound equipment.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to waive the fees and bond for the entertainment permit and donate \$2000.00 to help pay for the sound equipment for use with the reenactment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called for Supervisor Concerns.

Hearing none, Mr. Bosiger continued that each member of the Board had been presented with a copy of the accounts payable edit report for March 1, 1999. Mr. Bosiger continued that Mrs. Ferguson was requesting Board review and approval of these disbursements.

After review, Mr. Torrence made a motion seconded by Mr. Moore to approve the accounts payable edit for March 1, 1999 as submitted. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that there was a request from Mrs. Veda Scott, Tiny Angels Day Care Center, for use of the Courtland Field for a fundraiser.

After discussion Mr. Carter made a motion seconded by Mr. Carwile to allow Tiny Angels Day Care the use of the Courtland Field for a fundraiser provided the proper proof of insurance is provided. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger continued that the Appomattox Chamber of Commerce would also like to use the Courtland Field to hold a Banjo Jam as a means of raising funds.

After discussion, Mr. Carwile made a motion seconded by Mr. Moore to allow the Appomattox Chamber of Commerce the use of the Courtland Field to hold a Banjo Jam as a fundraiser as long as the proper proof of insurance is provided. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Emanuel Tire of Virginia for an extension from the original date set for their departure from the landfill property.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to allow a six-month extension, from the October 1999 departure date; contingent upon continued good reports from D.E.Q. to Emanuel Tire of Virginia for its tire operation at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several requests for musical or entertainment festival permits.

Mr. Moore made a motion seconded by Mr. Torrence to grant a permit for an entertainment event, to Cross-Country Hunt Club, to hold turkey shoots during 1999 and waive the bond requirement. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Carwile to grant a festival permit to Appomattox Rangers SCV Camp #1733, to hold a weekend reenactment and waive the bond requirement. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to issue an entertainment permit to Stonewall Antique Power Show to hold their annual tractor show and waive the bond requirement. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented several requests for supplemental appropriations.

Mr. Carter made a motion seconded by Mr. Torrence to make the following supplemental appropriations:

\$23.58 to 3401-5203

41.59 to 7301-5416.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that the I.D.A. had requested a transfer of 110,000.00 in order to begin the final design for the infrastructure to serve Phase I of the Industrial Park.

Mrs. Ferguson explained that \$100,000.00 had been approved in the FY99 budget for this purpose and this would not require an additional appropriation.

Mr. Carwile made a motion seconded by Mr. Moore to transfer \$100,000.00 from 8105-6005 to the I.D.A. for engineering fees for the final design for the infrastructure to serve Phase I of the Industrial Park. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next reminded the other members of the Board that in the near future the County was looking at several major projects that could have a severe impact on the County tax rate. Mr. Bosiger continued that because of this Mrs. Ferguson had requested the Board hire a consultant to do a study showing the financial impact of the various projects on the tax rate in the County.

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson would seek bids for this service.

A lengthy discussion on the proposed Courthouse changes followed. After discussion it was agreed to hold a public comment session on March 22, 1999 at 7:00 P.M. in the Courthouse to receive comments on the proposed Courthouse project. Mrs. Ferguson was instructed to contact Mr. Hal Craddock to schedule for him to attend the session and provide a brief synopsis of the two options chosen. The Board also determined they would make a decision on the Courthouse on April 5, 1999 at their regular meeting.

Mr. Bosiger next reminded the other members of the Board of several meetings that were scheduled for the next few weeks.

Mr. Bosiger then presented the Planning Commission recommendations from the February 16, 1999 public hearing.

Mr. Torrence made a motion seconded by Mr. Moore to approve petition number 99-361 of C. Douglas Branch to rezone property from A-1 to R-1. Property is located on Route 647 between Route 668 and Route 460. Property is Part of Tax Map No. 62-A-18. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to approve petition 99-363 of Thomas E. O'Brien to rezone property from A-1 to R-2. Property is located on Route 727 between Route 644 and Route 644. Property is Tax Map Parcel No. 107 (A) 37. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a letter of resignation from the Board of Zoning Appeals from Mr. Wayne Phelps, effective immediately. Mr. Bosiger continued that with Mr. Phelps resignation the Board would need to submit several names to the Judge for possible appointment to this vacant position.

After discussion and by consensus of the Board it was agreed that the Board members would have suggestions for appointment at the next meeting.

Mr. Bosiger then explained that Mr. Lawson was requesting permission to attend the Commonwealth Attorney's Convention in Williamsburg.

Mr. Torrence made a motion seconded by Mr. Carter to approve for Mr. Lawson to attend the Commonwealth Attorney's Convention and pay his expenses from the Board's budget. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that an executive session was necessary to discuss a personnel matter.

At 9:42 P.M. on a motion by Mr. Torrence seconded by Mr. Carter it was agreed to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence at 10:02 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion at 10:02 P.M. seconded by Mr. Moore to recess until March 8, 1999 at 7:00 P.M. in the Courthouse. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 8, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (School Board):

Lannis Selz
Martha Pankey
Jean Mills
Kenneth McClenny

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the meeting to order at 7:05 P.M. and welcomed the members of the School Board and School Administration. Mr. Bosiger asked that the School Board join the Board of Supervisors.

Mr. Bosiger asked Mr. Selz if he would like to begin by commenting on the schools proposed FY2000 budget?

Mr. Selz began by providing an update on the expected State funding and presented the Board of Supervisors with a revised FY2000 budget and revenue estimate for the schools.

After Mr. Selz' presentation he stated he was willing to answer questions of the Board of Supervisors.

A question and answer session followed concerning the details of the school budget.

Being nothing further for the School Board, Mr. Bosiger thanked and excused them.

Mr. Bosiger then explained that the County presently had ads in the paper for three part time positions. The positions are as follows: maid/janitor for County buildings; recycling position at the landfill; and a building sitter for the Community Center. Mr. Bosiger stated that Mrs. Ferguson had wanted the Board made aware of this for their information and input.

Discussion followed with the Board asking if the Secretary at the Community Center could stagger her hours in order to cover the rentals of the building without incurring over forty hours per week. Mrs. Ferguson was asked to look into this possibility.

Mr. Bosiger then explained that VACo was asking if anyone wished to serve on some of their steering committees. Mr. Bosiger continued that Andy Carroll was interested in serving on the Community Development and Planning Steering Committee and asked if the Board wished to make this appointment.

After discussion, Mr. Carter made a motion seconded by Mr. Moore to appoint Andy Carroll to the VACo Community Development and Planning Steering Committee. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that a resolution was in order concerning the baler project at the landfill.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the following resolution:

WHEREAS, the Appomattox County Board of Supervisors has determined that a solid waste baler will increase the efficiency and useful life of the current and future landfill trenches, and

WHEREAS, the Board has also instructed the County's engineering firm, Hurt & Proffitt, to design and prepare bid documents for the solid waste baler, the building to house the baler, and all other related improvements involving the placement and use of the solid waste baler.

THEREFORE BE IT RESOLVED, that the Appomattox County Board of Supervisors expects that monies spent on the solid waste baler project will be financed from debt proceeds.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a grant application from the Sheriff's Department for approval.

Mr. Carwile made a motion seconded by Mr. Moore to approve the Local Law Enforcement Block Grant application in the amount of \$1669.00 with \$167.00 local funds. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from the Historic Railroad Festival Board that they be allowed to cut the bank down where the stage sets in Courtland Field. The Festival Board would bear all the expense.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to allow the Historic Appomattox Railroad Festival Board to level the corner of Courtland Field that the stage sets on at the Festival Board's expense. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the Board for dates to tour Virginia Fibre.

Several dates in April were chosen.

Mr. Bosiger then asked if any Supervisor had anything to bring before the Board.

Mr. Carwile stated that he had given careful thought to the vacant seat on the Board of Zoning Appeals and that he had come up with three names from his district to suggest for appointment. Mr. Carwile gave the names as follows: Dale Campbell, Gary Tanner, David Stratton.

Mr. Bosiger asked that Mrs. Ferguson provide these names to the Judge for appointment.

Mr. Carwile next stated that he was concerned with the amount of donation that the County was making to Concord Fire Department. Mr. Carwile continued to provide figures concerning the number of calls run by Concord Fire Department in Appomattox County and the value that they provided to citizens in the Stonewall area. Mr. Carwile closed that he would like to see the County donate at least \$25,000.00 to this Department.

Mr. Bosiger stated that he did not disagree but there were other departments in similar situations as the Concord Department, such as Red House, Toga, Gladstone, etc. that should also be considered.

Being no other concerns, budget review began.

Each Supervisor voiced his concern with keeping expenses down and holding the tax rate firm for 1999.

Mr. Bosiger asked about the possible taxation of forest products that are being harvested in the County.

Discussion followed.

Being no further business, at 9:45 P.M. Mr. Carter made a motion seconded by Mr. Moore to recess until 7:00 P.M. on March 9, 1999 in the Courthouse. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Gareth K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 9, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the recessed meeting to order at 7:09 P.M. and stated that the purpose of the meeting was to continue budget review. The Board agreed to look at the departments with the major increases first.

As budget review continued the following changes were made:

-reduce 3102-7005 by	\$112,712.00
-reduce 3102-1002 by	8,000.00
-reduce 3102-1004 by	3,000.00
-reduce 3102-1001 by	5,999.00
-reduce 3102-5801 by	5,290.00
-reduce 3103-1001 by	2,548.00
-reduce 3103-5801 by	218.00
-reduce 2107-1001 by	1,038.00
-reduce 3301-1003 by	3,000.00
-reduce 3301-3001 by	3,000.00
-reduce 3301-5101 by	2,000.00
-reduce 3301-7003 by	750.00
-reduce 7301 by	45,060.00
-reduce 8303-1001by	8,800.00
-reduce 8303 2001 by	2,000.00
-reduce 8303-5203 by	703.00
-reduce 1209-5801 by	300.00
-reduce 1209-5501 by	700.00
-reduce 1101-1001 by	5,400.00

After budget review Mr. Carter made a motion seconded by Mr. Moore to recess until 7:00 P.M. on March 10, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


 Garet K. Bosiger, Chairman

A recessed meeting and budget work session of the Appomattox County Board of Supervisors was held on March 10, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District]
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Mr. Bosiger called the recessed meeting to order and asked Mrs. Ferguson to recap last night's meeting.

Mrs. Ferguson began by reviewing the total amounts to be deducted from the following departments:

1209	- \$	2,130.00
2107	-	17.00
3102	-	137,499.00
3103	-	250.00
3108	-	1,069.00
3301	-	9,056.00
4302	-	1,556.00
7301	-	45,279.00
8303	-	13,009.00

TOTAL \$209,865.00

Mrs. Ferguson continued that after making proposed changes in the budget these were the bottom line decreases for the various departments that were reviewed on March 9, 1999. Mrs. Ferguson stated that a 6.25% increase had been figured into everyone's salary effective 12/1/99 except for the Sheriff's Deputy's whose increase will be 13.7% effective 12/1/99.

A lengthy discussion followed concerning the School Board budget and Social Services budget.

After discussion and by consensus of the Board it was agreed that Mrs. Ferguson include salary increases as follows effective July 1, 1999, with a 6.25% increase effective 12/1/99:

Ann Dixon \$24,000.00

Andy Carroll 30,000.00
Danny Morgan 14,000.00
Mickey Martin 20,000.00
Donald Martin 24,000.00
Vicky Phelps 19,000.00

The Board by consensus agreed that they did not want to raise the tax rate for 1999 and that they were committed to holding expenses in order to accomplish this goal.

The Board then instructed Mrs. Ferguson to level fund most of the budgets allowing for the salary increases effective 12/1/99 and benefit increases and eliminating the things they have already deleted from the proposed budgets for comparison.

Budget review continued with the review of donations, department 7109.

Legal Aid Society Donation was eliminated.

4-H Educational Center decreased by \$20,000.00, which was additional request for the resource center construction.

Mrs. Ferguson explained the fire departments budget request and that \$10,000.00 had been included again this year as a donation towards Concord Fire Departments building project. Mrs. Ferguson also explained that the payment on the new fire truck for Appomattox was also included.

Mrs. Ferguson then explained that under the rescue squad budget there was \$10,000.00 included for Concord Rescue Squad to help purchase a new crash truck. Mrs. Ferguson, also, explained that \$40,000.00 was included again this year for Appomattox County Rescue Squad's building. Mrs. Ferguson stated that this was the final amount that the Board had committed towards the new building.

Mr. Bosiger stated that a citizen had asked him if the Appomattox Fire Department and Appomattox Rescue Squad could not be consolidated to everyone's benefit.

Discussion as to the pros and cons followed with the consensus being that this would be an item for discussion at the joint meeting of the Town and County on March 13, 1999.

After budget review Mr. Carter made a motion seconded by Mr. Moore to recess until 8:00 A.M. on March 13, 1999 at the Community Center. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint work session of the Appomattox County Board of Supervisors and the Appomattox Town Council was held on March 13, 1999 at 8:00 A.M. at the Community Center, Route 460 Business, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Town Council):

Ronnie Spiggle, Mayor
R. L. "Dick" Bass, Vice Mayor
Jimmy Mayberry
Joyce Bennett
Marvin Mitchell

Absent (Town Council):

Steve Lawson

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Bobbie Jean Mullins – Clerk - Town Council
David Garrett – Town Manager
William M. Phillips - Town Attorney

Mr. Spiggle called the meeting to order at 8:40 A.M. on behalf of Town Council and Mr. Bosiger called the reconvened meeting of March 10, 1999 to order for the Board of Supervisors.

Mr. Spiggle explained that the purpose of the meeting was for the Town and County to get together to discuss projects of mutual interest to all citizens.

Mr. Spiggle provided information concerning the Downtown project for review by all present. Mr. Spiggle then gave a brief update of the project.

Mr. Spiggle next stated that maybe the next item that should be discussed was the memorandum of understanding(MOU) between the Town and County for water and sewer to the Industrial Park.

Discussion followed with the following items to be reviewed coming out of this discussion:

1. Add to statement beginning with industries will be required to perform monthly testing on industrial wastes and reporting to the Town.
4. Add that "as long as waste meets the required pretreatment ordinance and waste strength requirements are adhered to.
9. Add "flow measuring device" and recording and sampling station prior to connection to the wastewater collection system.
10. That the "IDA" will grant the Town the right to develop a well site on the Industrial property at a future date with the location to be identified later.
16. Add "as described herein" after services
17. Insert the word "Industrial" before Park.
20. Add /IDA with County.
21. Mr. Phillips felt that legal wording regarding arbitration should be added..

Mr. Bosiger questioned a point that involves the future capital costs for water and sewer as it pertains to Item 2, Sanitary Sewer System and Item 11, Water System. Mr. Bosiger stated that as he read the items in question he wanted clarification as to what was expected of the County.

Mayor Spiggle responded that he understood those two items to be "only as it relates to the Industrial Park/Recreation Area and nothing else..

Mr. Bosiger asked if the MOU could state that.

Mr. Carroll questioned the ownership of the water and sewer lines going to the park. Mr. Carroll continued that he felt that it should state that the County/IDA would own these lines.

Mayor Spiggle asked if, with the above noted changes, could the Town Council and the Board of Supervisors agree on this MOU as presented?

Mr. Spiggle polled Council:

Mr. Bass – agreed
 Mr. Mayberry – agreed
 Mr. McDearmon – agreed
 Mr. Mitchell – agreed
 Mrs. Bennett – agreed
 Mayor Spiggle – agreed

Mr. Bosiger polled the Board:

Mr. Carwile – agreed
 Mr. Carter – agreed
 Mr. Moore – agreed
 Mr. Torrence – agreed
 Mr. Bosiger – agreed

A deadline of April 1, 1999 was set for the changes to be incorporated in the MOU, have the County Attorney review, and be prepared for both governing bodies to adopt.

Mayor Spiggle then told the others present that citizens had questioned why the fire department and rescue squad could not be housed in the same building in order to alleviate the space problems that the fire department has.

A lengthy discussion followed with the consensus being that a "Public Safety Committee" should be formed that would consider this option with the parties involved and other problems as may arise.

Mrs. Ferguson was asked to have copies of the Emergency Plan available for Council and the Board.

Mr. Torrence then asked questions concerning the Courthouse proposal.

A lengthy discussion followed with questions being answered for Town Council by members of the Board concerning the two options being considered for the Courthouse.

Being no further business the meeting was adjourned at 10:10 A.M.


 Gareth K. Bosiger, Chairman

A public hearing of the Appomattox County Board of Supervisors was held on March 15, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present:

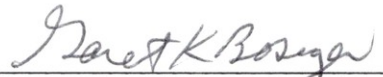
Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 Earl Dickerson – Hurt and Proffitt

Mr. Bosiger called the public hearing to order at 7:00 P.M. and read the following notice that was published in the newspaper advertising the meeting.

The County of Appomattox intends to apply to the DEQ for a Substantive Amendment of the current landfill permit #86 to allow placement of baled solid waste to be placed in the landfill. The public shall have 60 days to review and comment on the documentation submitted to DEQ for this Substantive Amendment. The documents may be seen and copied at the County Administrator's office. Comments shall be submitted to: Department of Environmental Quality, Attn: Mr. John Godfrey, P. O. Box 10009, Richmond, VA 23240-0009. Mr. Godfrey's telephone # is (804) 698-4258. The contact person with the County is Mr. Andy Carroll - (804) 352-2637. The public comment period ends April 3, 1999.

Mr. Bosiger called for comments on this proposal.

Hearing none, Mr. Bosiger declared the public hearing closed at 7:05 P.M.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox County Planning Commission, and the Appomattox County Board of Zoning Appeals was held on March 15, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger - Chairman - Falling River District
Samuel E. Carter - Appomattox Courthouse District
Frank H. Carwile - Wreck Island District
Russell H. Moore - Piney Mountain District
Dennis W. Torrence - Appomattox River District

Present (Planning Commission):

Kevin O'Brien
Claude A. Moore
Wayne Lewis
Marvin Mitchell
Al Sears
Jim Seftor
Russell Moore

Absent (Planning Commission):

Robert Johnson
Elizabeth Edwards
Calvin Tanner

Present (Board of Zoning Appeals):

Matt Liar
James Cheatham
Cliff Harvey

Absent (Board of Zoning Appeals):

Elizabeth Edwards

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Mr. Caldwell, Clerk to the Planning Commission

Mr. Bosiger called the public hearing to order at 7:00 P.M. stated the reason for the hearing was to receive public comment on several zoning petitions and gave the procedure for directing comments to the Board.

Mr. Bosiger then asked Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 99-366 of Dallas and Kimberly Summers to rezone property from A-1 to R-2 with conditional use permit to allow additional dwelling on single lot. Property is Tax Map No. 67-A-6 and is located on Route 627 between Route 632 and Route 616.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-367 of Allen W. Robertson to rezone property from R-1 to B-1. Property is Tax Map No. 63(A) 53 and is located on Route 460 between Route 1045 and Route 26.

Mr. Bosiger called for comments on this petition.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-368 of Dennis E. Williams for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to front yard setback. Property is Tax Map 12-A-5 and is located on Route 60 between Route 616 and Route 654. Property is zoned A-1.

Mr. Bosiger called for comments on this petition.

Mr. Dennis Williams came forward and gave his address as Route 2 Box 47A, Gladstone, Virginia. Mr. Williams continued that he owned the store and that he wanted to add a porch to the front of the building. Mr. Williams explained that, as it stood the porch

would be too close to the highway to comply with local zoning ordinances and that he was requesting a variance due to this problem.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-369 of Wilsie Cobbs for a variance to paragraph 170-80A of the Appomattox County Zoning Ordinance pertaining to front yard setback. Property is Tax Map No. 90(3) B and is located on Route 622 between Route 620 and Route 633. Property is zoned R-2.

Mr. Bosiger called for comments on this petition.

Ms. Cobbs came forward and gave her address as Route 1 Box 66EE, Pamplin, Virginia. Ms. Cobbs explained that she owned the property but that her son was the one putting the trailer there. Ms. Cobbs continued that there had been a misunderstanding concerning front yard set back and that the mobile home had been set up with the wrong setbacks. Ms. Cobbs explained that it would cost \$5,000.00 to have the mobile home reset. She asked that the Board grant her request.

Mr. Torrence asked if the set up was complete?

Ms. Cobbs answered that it was.

Mr. Carwile asked if the water and sewer had been connected.

Ms. Cobbs failed to answer the question.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-370 of Bobby E. Moore to rezone property from A-1 to M-1 with Conditional Use Permit to allow contractor facilities and storage yard (Truck and Trailer storage and some heavy equipment.) Property is Tax Map No. 72-A-Railroad Right of Way located on Route 741 between Route 24 and dead end.

Mr. Bosiger called for comments on this petition.

Mr. Robert Evans came forward and gave his address as 725 Church Street, Lynchburg, Virginia. Mr. Evans continued that he was representing Mr. Moore. Mr. Evans presented a plat of the property and explained the topography of the parcel. Mr. Evans explained that this property is not what he envisions as agricultural property. He continued that the property was barren. He stated that he felt the present use was consistent with what has taken place on this property for 100 years. Mr. Evans continued

that Mr. Schewel had operated a pulpwood yard on this property from 1977 to 1990 and that along with that operation there was a lot of traffic. Mr. Evans stated that when the railroad leased the property to Mr. Moore it was leased to store trailers and equipment. Mr. Evans stated that he would submit that what Mr. Moore was asking reflects what has been happening on this property for 140 odd years. The property had never had an agricultural use as far as Mr. Evans was concerned. Mr. Evans continued that he did not feel that this should be an agricultural district. He continued that Mr. Moore had eight or nine trailers on the property that he used for storage for his business. Mr. Evans asked if Mr. Moore couldn't continue his use of the property if he limited vehicular traffic to no more than 5 or 6 times per week. Mr. Evans stated that he did not feel this would constitute heavy vehicular traffic. In closing Mr. Evans stated that there was already some business activity in this area in the form of a cellular tower which had already been approved by the Board.

Mr. Evans asked if the people in the Courtroom that supported Mr. Moore could stand to show their support.

Mr. Bosiger explained that this would be appropriate.

(A number of people stood).

Mr. Bosiger called for other comments.

Mrs. Georgia Schewel came forward and gave her address as P. O. Box 664, Concord, Virginia. Mrs. Schewel explained that her purpose for attending the public hearing was to clear up some discrepancies in the dates of operation of their woodyard. Mrs. Schewel stated that at a previous public hearing her husband had said they operated a business on this property until 1990. Mrs. Schewel explained that this was only partially true. She continued that even though they had stopped buying wood they had kept supplies, trailers, etc. on this site until June of 1992. Mrs. Schewel stated that in 1984 when Mr. Bryant bought his home in Concord they were still buying pulpwood and selling firewood from this site. Mrs. Schewel stated they leased the property for two more years after closing the wood yard hoping to purchase the property.

Mr. Bosiger called for other comments.

Mr. Bill Houchins came forward and gave his address as Box 781, Appomattox, Virginia. Mr. Houchins explained that he had been approached by Mr. Moore to help him with his application for rezoning. Mr. Houchins presented a plat of the property and explained the layout of the property.

Mr. Bosiger called for other comments.

Mr. David Jordan came forward and gave his address as Concord, Virginia. Mr. Jordan stated that Mr. Moore was a good neighbor to him and that they had been neighbors for

thirty years. Mr. Jordan explained that when Mr. Moore did something it was for the good of the community.

Mr. Bosiger called for other comments.

Mr. Wayne Phelps came forward and explained that he was a businessman and landowner in the County. Mr. Phelps stated that he looked at this situation for Mr. Moore no different than he looked at Mr. Bryant's rezoning to M-1 for a cellular tower. Mr. Phelps contended that Mr. Moore should be granted his request because of all his civic work in the community. In closing Mr. Phelps recommended that the Planning Commission rezone Mr. Moore's property to M-1.

Mr. Bosiger called for other comments.

Mr. Brian Selz came forward and stated that he was an attorney from Campbell County and that his address was Courthouse Square, P. O. Box 38, Rustburg, Virginia. Mr. Selz continued that he was representing Rueben and Nancy Bryant. Mr. Selz stated that Mr. Evans was correct in his statement that this property was not an A-1 property Mr. Selz contends that this property is R-1. Mr. Selz continued that this property was not the place for M-1 zoning. Mr. Selz stated that the County Comprehensive Plan did not support M-1 zoning in this area. Mr. Selz continued that he would like to clear up one matter. Mr. Selz explained that the cellular tower was not located in an M-1 district but that it was permitted with a conditional use in A-1. Mr. Selz implored the Board to not consider the personal appeal but to consider instead the planning appeal.

Mr. Bosiger called for other comments.

Mr. Rueben Bryant came forward and gave his address as 247 Station Lane, Concord, Virginia. Mr. Bryant began by saying that he moved to his present location in 1969. He continued that there was a lot of personal support for Mr. Moore but that he had a petition with seventy-five names of people who were in opposition to Mr. Moore's request. Mr. Bryant continued that the opposition was growing not diminishing with time. Mr. Bryant explained that everyone living in this area or adjacent to this area were opposed to Mr. Moore's request and that he felt these were the voices that should count.

Mr. Bryant presented a petition to the Board. (Petition on file in the Rezoning file of Mr. Bobby E. Moore).

Mr. Bryant continued that not a lot had changed since Mr. Moore's first request for rezoning. Mr. Bryant stated that he felt that if this request were granted it would constitute spot zoning. Mr. Bryant encouraged the Board and Planning Commission to examine the petitions that he had provided. Mr. Bryant in closing pleaded with the Board to "please not pull the rug out". He contended that zoning existed to protect farms and residences against industry. Mr. Bryant requested that the Board please take action on Mr. Moore's request tonight in order to bring closure to this issue.

Mr. Bosiger called for other comments.

Ms. Monica Martin came forward and gave her address as 177 Station Lane, Concord, Virginia. Ms. Martin began by saying that she wanted the Board to consider several things in making their decision:

- 1) The Board should be committed to protecting A-1, R-1, and R-2 districts,
- 2) The Board should place themselves in the adjacent landowners position,
- 3) Zoning laws were meant' to protect.

In closing Ms. Martin stated that in November when this first started the matter was not personal but now it was.

Mr. Bosiger called for other comments.

Mr. Gary Martin came forward and gave his address as 177 Station Lane, Concord, Virginia. Mr. Martin asked the Board to consider several things. First the cellular tower that had been previously mentioned does not move or make noise. He continued that he was tired of tractor-trailer traffic in the middle of the night. He continued that he had to fix his yard several times after tractor-trailers had gotten over in it trying to avoid other traffic. Mr. Martin stated that the drivers were not courteous. Mr. Martin asked what if he had an operation near the Concord Community and one day just moved in a restricted business? How would he be treated? Mr. Martin informed the Board that Crewe had just passed an ordinance restricting commercial vehicles parking in residential areas. Mr. Martin asked the Board to consider what if it was in their front yard? What if it was waking their baby up in the middle of the night?, and What if they were having to fix their yards because of tractor trailers running off the road? In closing Mr. Martin told the Board not to be bullied into doing the wrong thing.

Mr. Bosiger called for other comments.

Mr. John Fenimore came forward and gave his address as 336 Staford Road, Concord, Virginia. Mr. Fenimore stated that he was against the rezoning but he was not at the meeting to raise any problems.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-371 of Horst & Helgard Zachau for a conditional use permit to allow additional dwelling on single parcel in A-1 zoning district. Property is Tax Map No 87-A-101 and is located on Route 604 between Route 645 and Route 679.

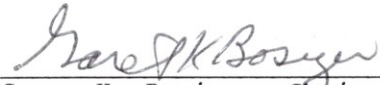
Mr. Bosiger called for comments on this petition.

Mr. Horst Zachau came forward and gave his address Route 1 Box 196, Appomattox, Virginia. Mr. Zachau asked the Board to please approve his conditional use request.

Mr. Zachau's son-in-law came forward and explained that his in-laws were making this request because the cottage they had purchased on this property was not convenient for his 91 year old mother-in-law to get around in. He stated that her rooms were upstairs and that she could not join the family because she could not maneuver the stairs without considerable help. He said they needed to build another home to have things accessible due to these health problems.

Mr. Bosiger called for other comments.

Hearing none and being no further petitions, Mr. Bosiger declared the public hearing closed at 8:00 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on March 15, 1999 at 8:15 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District (late due to attending the Planning Commission Meeting)
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order at 8:15 P.M. and explained that Mr. Moore would be in the Planning Commission meeting and had told him to go ahead with the business at hand.

Mr. Bosiger explained that Mrs. Ferguson had spoken with Lannis Selz, Chairman, School Board and that he felt guidelines should be established in order that the Oversight Committee would know what is required of them. Mr. Bosiger asked if anyone had suggestions for guidelines for this committee?

Hearing no comments, Mr. Bosiger moved on to the next item, Convention/Education request. Mr. Bosiger explained that the Registrar was requesting permission to attend the State Board of Elections workshop and have the Board pay her expenses, which would be approximately \$150.00.

Mr. Carwile made a motion seconded by Mr. Torrence to approve for the Registrar to attend the State Board of Elections workshop and pay expenses from 1101. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that the Health Department contract with the County for FY99 was enclosed for approval.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the Health Department contract for FY99. (Copy on file in the County Administrator's Office). Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a request from Henry County Board of Supervisors for a resolution dealing with maintenance of drainage easements.

After discussion and by consensus of the Board it was agreed that the Board would ask Sandra Lindsay about this matter at the April 1999 meeting.

Mr. Bosiger then explained that the County had received a request from James River State Park that they be allowed to dispose of their solid waste at Appomattox County Landfill.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter that James River State Park's request to dispose of their solid waste at Appomattox County Landfill be denied due to the fact that we do not except trash from outside the County. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

Mr. Bosiger next explained that Robert E. Lee Soil & Water Conservation District was giving the Board of Supervisors and opportunity to comment on Kent White's job performance if they wished.

After discussion and by consensus of the Board, no one felt familiar enough with Mr. White to offer comments.

Mr. Bosiger explained that Hal Craddock had provided information as to how to correct the roof problems at the Health Department.

After discussion and by consensus of the Board it was agreed that Mr. Craddock could go over his proposal with the Board at the March 22, 1999 meeting.

Mr. Bosiger next presented a bid for financial services from Robinson, Farmer, Cox Associates and explained that this was the only bid received.

After discussion, Mr. Carwile made a motion seconded by Mr. Carter to accept Robinson, Farmer, Cox Associates bid of \$15,000.00 for financial consultant services. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Torrence, aye.

The Board of Supervisors then reviewed D.E.Q.'s latest inspection report on the landfill. By consensus the Board complimented Andy and Tina for all the work that had been done to bring things into line at the landfill.

Mr. Carroll explained that all was in place for the baler and building at the landfill and that advertisements for bids would be in the paper this Sunday.

Mr. Bosiger then went over the information items listed in the Board Book.

Mr. Bosiger then called for Supervisor Concerns.

Mr. Carwile stated that some work needed to be done on the Stonewall Voting Precinct.

Mr. Torrence stated that the trailer at the pound needed to be painted.

At 8:50 P.M. the Board agreed to a 10-minute recess.

At 9:00 P.M. Mr. Bosiger reconvened the meeting.

Budget review continued.

Mr. Moore joined the meeting.

Mr. Bosiger asked Mr. Moore about the action from the Planning Commission.

Mr. Moore explained that all the requests had been approved with the exception of Mr. Bobby Moore and that he was going to resubmit his application with restrictions.

Mr. Moore made a motion seconded by Mr. Torrence to accept the Planning Commission's recommendations and approve the following petitions:

99-366 of Dallas & Kimberly Summers to rezone property from A-1 to R-2 with conditional use permit to allow additional dwelling on single lot. Property is Tax Map No. 67-A-6 and is located on Route 627 between Route 632 and Route 616.

99-367 of Allen W. Robertson to rezone property from R-1 to B-1. Property is Tax Map No. 63 (A) 53 and it located on Route 460 between Route 1045 and Route 26.

99-371 of Horst & Helgard Zachau for a conditional use permit to allow additional dwelling on single parcel in A-1 zoning district. Property is Tax Map No. 87-A-101 and is located on Route 604 between Route 645 and Route 679.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Budget review continued.

CSA Budget was discussed concerning a position for coordinator to handle CSA.

By consensus it was agreed to eliminate this position unless grant funding is available for most of the cost.

Discussion followed as to how to take care of the CSA needs without hiring someone to handle this paperwork.

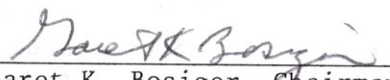
Mrs. Ferguson explained that this work had been done through Social Services previously and that in her opinion that is who should be doing this now.

It was also discussed that Mrs. Mann at the Community Center adjust her hours to babysit the building instead of paying her overtime.

The Board agreed that a note could be put on the door and an answering machine could be used to take calls during the time that Lela was not working.

The Board discussed reducing the amount of part time funds in the Registrars budget.

Being nothing further, at 10:10 P.M., Mr. Carter made a motion seconded by Mr. Torrence to recess until March 22, 1999 after the Public Hearing. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

The Appomattox County Board of Supervisors held a public comment session on March 22, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the public meeting to order at 7:00 P.M. and stated the purpose of the comment session was to receive public comment on several proposals for upgrading the Courts. Mr. Bosiger then asked Mr. Hal Craddock to provide a brief summary of their findings concerning the two options.

Mr. Craddock gave a brief presentation, which included information on renovation and addition to the present Courthouse and Clerk's Office and also on construction of a new Court facility on the lot across the street.

Mr. Bosiger then called for comments.

Mr. Charles T. Moses came forward and gave his address as P. O. Box 2216, Appomattox, Virginia. Mr. Moses began that he was sure that within the last twelve months the Board had been given a lot of grief over the money that had been spent. Mr. Moses stated that he was sure there would be varying points of view expressed at this session and when he looked at the figures he was confused. Mr. Moses stated that it seemed to him the wise thing to do would be to let the people of Appomattox decide what they want to do. Mr. Moses asked that this issue be put as a referendum on the ballot. Mr. Moses in closing stated that we do not need to be divided on this issue.

Mr. Bosiger next called Mr. Wayne Phelps to come forward.

Mr. Phelps stated his name and that he was a local businessman and landowner in Appomattox County. Mr. Phelps continued that he was also a dedicated historian. Mr. Phelps then presented petitions for the Board to consider. Mr. Phelps stated that his group was interested in saving the Courtroom and the four offices connected with the courtroom. Mr. Phelps continued that the decision made on the courthouse would affect this century and the next. Mr. Phelps stated that they had formed their own committee of historical people consisting of Mr. Moses, Wayne Phelps, Virginia Babcock, Bill Burke, Bill Williamson, Jimmy Drinkard, Harry Ferguson and Otho Martin, Jr. Mr. Phelps stated that Watkins Abbitt was their advisor. Mr. Phelps gave financial information on the renovations of the dormitory at the Middle School. Mr. Phelps suggested a happy medium if the Board would agree to keep the Courtroom as it is and Mr. Phelps felt that the Board should set down with the committee to discuss their position.

Mr. Bosiger then called on Mr. Buddy Greene to come forward.

Mr. M. L. "Buddy" Greene came forward and gave his address as Route 1 Box 115, Appomattox, Virginia. Mr. Greene explained that he was in favor of renovation of the existing buildings. Mr. Greene explained that he had some cost figures for both options and he felt that the taxpayers were going to have to have some relief in this County. Mr. Greene then provided cost figures for the options and explained that even if you did not consider the cost difference between renovation and new, you would still have to renovate the existing Courthouse for office space and you would have operations and maintenance cost associated with this building.

Mr. Bosiger next called on Mr. Darryl Puckett to come forward.

Mr. Puckett came forward and gave his address as 125 South Church Street, Appomattox, Virginia. Mr. Puckett thanked the Board for the opportunity to address them on this matter. Mr. Puckett continued that Mr. Moses had pretty much stated what he had

wanted to express to the Board. Mr. Puckett stated that he did not feel that a decision of this magnitude was properly decided by the Board. Mr. Puckett continued that he felt this issue would be better addressed through a referendum. Mr. Puckett stated that this would give the citizens a voice.

Mr. Bosiger called Mr. Otho W. Martin to come forward.

Mr. Martin came forward and gave his address as Route 3 Box 305, Appomattox, Virginia. Mr. Martin began that he believed this to be one of the hardest things that he had had to do. Mr. Martin stated that he felt that he should have something to say about this court issue. Mr. Martin continued that after reading the Times-Virginian on March 17, 1999, he stated that he was wondering why there was going to be a public hearing. Mr. Martin stated that according to the paper Mr. Carwile had made a motion to build a new Courthouse. Mr. Martin also stated that according to the paper the four other members disagreed. Mr. Martin stated that he thought the idea of a public forum was to give the citizens input and then for the Board to make a decision. Mr. Martin stated that he felt we needed a new courthouse for now and for the future. Mr. Martin stated that he understood that the front entrance to the Courthouse would not be used and his fear was that we would be known as a back door courthouse. Mr. Martin made comments on the cost of the industrial park and stated that if we could afford those cost we could afford a new courthouse. In closing Mr. Martin stated that it appeared that the other members of the Board were ganging up on Mr. Carwile since very often the vote was four to one. Mr. Martin continued that the Board needed to build a new courthouse and fix the roof, cupola, and install an elevator in the present building.

Mr. Bosiger called Mr. Evans Thomas to come forward.

Mr. Thomas gave his address as P. O. Box 673, Appomattox, Virginia. Mr. Thomas stated that he lives at Rose Bower on Route 24. Mr. Thomas stated that it was a pleasure for him to be able to speak to the Board about something near and dear to his heart, since this is where he makes his living. Mr. Thomas continued that he was a little biased in that whatever the Board did was good for him. Mr. Thomas stated that whether it was renovate this building or build a new one, both plans would meet what the members of the bar need. Mr. Thomas said that as a taxpayer he had grave concerns with both options because both of them cost money. Mr. Thomas continued that the difference between the two was that one required more money up front, and the other was more money over time. Mr. Thomas stated that even if we built new something would still have to be done with the present building. Mr. Thomas pointed out that the roof leaks, the paint is chipping from the ceiling, etc. Mr. Thomas said that last he would like to speak about the historical value of the present courthouse. Mr. Thomas stated that he was a history buff and that this was a wonderful courthouse but this was not THE historical courthouse of Appomattox. Mr. Thomas continued that this was not the natural state that this courthouse was in 1897. Mr. Thomas stated that the pictures that hung on the walls were not here in 1897 and he felt that the pictures could be moved to any courtroom that the Board decided to build. Mr. Thomas stated that if we were going to restore this building to the architecture that it once was it would mean eliminating some of the side

building, the rear building and putting a potbellied stove back in the middle of the courtroom because that is what the courtroom was like in 1897. In conclusion Mr. Thomas asked the Board to consider the numbers and look very hard at the cost.

Mr. Bosiger called Mr. Eston Harvey to come forward.

Mr. Harvey came forward and gave his address as State Route 643, Appomattox, Virginia. Mr. Harvey began by saying that the first thing that came to his mind was how fortunate Appomattox County was to have five people who exposed themselves to the kind of hard decisions, criticism and everything else that the Board had to endure. Mr. Harvey stated that Mr. Moses had struck a cord with him by saying that the people in the County needed an opportunity to express themselves. Mr. Harvey continued that that was going to be hard because even after reviewing the plans he was still confused. Mr. Harvey stated that he felt there was going to be a problem getting the information before the people so that they could understand it. Mr. Harvey stated that the five members of the Board had been elected to serve the citizens of the County and he did not understand how the Judges had more influence as to what happened to the courthouse than the people did. Mr. Harvey continued that he was perfectly content with the Board of Supervisors making this decision.

Mr. Bosiger called on Mr. Bill Jamerson to come forward.

Mr. Jamerson came forward and gave his address and P. O. Box 92, Appomattox, Virginia. Mr. Jamerson began by saying that he was in favor of renovating the Courthouse and he would like to make some comments about why he supports that option. Mr. Jamerson said that he had made some notes as he listened to others speak and he would like to comment on some of the statements that have been made. Mr. Jamerson read the headlines from an ad placed in the Times-Virginian – **OUR HISTORICAL COURTHOUSE IN DANGER OF BEING DESTROYED**. Mr. Jamerson stated that he felt people were being misled with statements like this. He continued that he had not heard anyone make statements concerning destroying the Courthouse. Mr. Jamerson stated that everyone that he had spoken with wanted to preserve the Courthouse and make it more usable for the Courts. Mr. Jamerson commented that one comment that he had heard was that the best way to preserve the Courthouse was to use the Courthouse. Mr. Jamerson stated that if you want the Courthouse to go down quit using it. Mr. Jamerson continued that he was not in favor of a referendum. Mr. Jamerson stated that he did not feel that you could communicate the plans to the people well enough for them to make an informed decision. Mr. Jamerson said that he trusted the Board to make the right decision after hearing the comments from the people.

Mr. Bosiger called on Mr. Claude Allen Moore to come forward.

Mr. Moore gave his address as Route 3, Appomattox, Virginia. Mr. Moore began that the people that had spoken before him had stolen about everything that he had wanted to say. Mr. Moore continued that he did not envy the Board the decision that was before them to make. Mr. Moore stated that the Board was elected to do a job and that he felt they

should do it. He continued that he would support whatever decision the Board made but he was in favor of renovation. Mr. Moore asked that the Board do their best to keep the historical feeling of the community in mind when making whatever decision was necessary. Mr. Moore continued that he felt that a referendum was a waste of time. In closing he stated that the Board had been elected to do a job and that he expected them to make the decision and move ahead.

Mr. Bosiger called Mr. Russell Miller to come forward.

Mr. Miller gave his address as Route 2 Box 284E, Gladstone, Virginia. Mr. Miller thanked the Board for the opportunity to address his comments to them. Mr. Miller commended the Board for having to put up with the things that they had to deal with. Mr. Miller continued that there were probably a lot of people in the County that were too timid to come to a public meeting and voice their concerns. Mr. Miller stated that he felt that he spoke for a lot of these people when he made the following comments. Mr. Miller continued that his real estate taxes had gone up 36% from 1994 – 1997. Mr. Miller continued that this increase covers only current expenses. Mr. Miller listed numerous items that were not covered in the 36% increase. Mr. Miller gave some financial information concerning the two options. Mr. Miller stated that there were a lot of people in the County that were hurting to make ends meet. Mr. Miller asked that the Board consider renovation rather than building a new courthouse.

Mr. Bosiger stated that these were all of the people that had signed up to speak and asked if anyone else wished to speak at this time.

Mr. Eulantha Martin Drinkard II came forward and gave his address as Route 3, Appomattox, Virginia. Mr. Drinkard stated that no one had mentioned anything about the museum. Mr. Drinkard mentioned that in some of the figures Mr. Craddock had recommended tearing down the museum for twelve to twenty more parking spaces. Mr. Martin stated that if the courthouse part of the present building were turned over to civic organizations they could get grants to keep it up. Mr. Drinkard continued that you could use the back part for all the offices that you wanted to but let the front part remain as historical.

Mr. Bosiger called Mrs. Lisa O'Brien forward.

Mrs. O'Brien gave her address as Route 3 Box 354, Appomattox, Virginia. Mrs. O'Brien stated that she was kind of in the middle of the road. She continued that she had listened to both sides and still could not make a decision. Mrs. O'Brien asked if there were not other options that would meet everyone's expectations? Mrs. O'Brien continued that she agreed with the statement that she did not want us to be called a backdoor courthouse.

Mr. Bosiger asked if everyone who wished to speak had done so?

Mrs. Hazel Lee Martin came forward and gave her address as Route 3, Appomattox, Virginia. Mrs. Martin asked if Mr. Craddock could clarify several things for her. Mrs.

Martin continued that she was confused with some of the numbers that were being referred to. Mrs. Martin asked that the Board take a lesson from the Middle School renovation and addition. Mrs. Martin continued that construction had started out at 3.5 million but before it was over it had gone to 5 million. Mrs. Martin stated that her concerns were with the removal of the wings of the museum. Mrs. Martin stated that if the wings were removed from the museum they would have no where to store their historical items. Mrs. Martin continued that we were all concerned with tourism and yet now we were talking about destroying one of the attractions to downtown.

Mr. Bosiger then asked Mr. Craddock if he could answer some of the concerns that he had heard during the public comment session?

Mr. Craddock stated that he felt that cost was not a determining factor with either option. Mr. Craddock stated that the real concern was what would be done with the existing buildings. Mr. Craddock stated that someone had said that if you renovate you would have to hire a contractor on a cost plus basis. Mr. Craddock continued that this was not true. Whatever option was chosen would go out for bids and a contract would be signed for a firm price. Mr. Craddock continued that when the old building was renovated it would function as if it were new. Mr. Craddock also stated that he felt that it would be hard to explain all the issues for a referendum. Mr. Craddock also stated that someone had said that he was in favor of tearing down the old jail and that this statement was not true. Mr. Craddock explained that someone had asked him how many parking spaces could be constructed if the old jail was demolished and that he had given that estimate. In closing Mr. Craddock explained that they would save what they could of the historical nature of the courtroom.

Being no further comments Mr. Bosiger declared the public comment session closed at 8:15 P.M.


Garet K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on March 22, 1999 at 8:20 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator

Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger reconvened the meeting and explained that Mr. Hal Craddock had done the preliminary work on the Health Department roof and that he had asked Mr. Craddock to explain his proposal to the Board.

Mr. Craddock went over the proposal and answered questions concerning his proposal.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter that Mr. Craddock proceed with plans, specifications, and bids for the roof work at the Health Department.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked if anyone had questions for Mr. Craddock concerning the courthouse?

Mr. Carwile stated that he agreed with Mr. Craddock that the dollar difference in the two options for the Courthouse did not amount to much. Mr. Carwile continued that the way he saw this issue was renovate or new put it on a referendum and let the people decide. Mr. Carwile continued that the dilemma was in the Boards hands as to what they were going to do to keep peace among the people and keep harmony and do the best thing for all.

Mr. Torrence spoke up and stated that since the Board had already decided the plan of action would be to vote on this issue on April 5, 1999 he felt that was what should be done. Mr. Torrence continued that he could personally see no reason to go with a referendum unless the Board decided to go with new and then a referendum would be required to move the courthouse across the street. Mr. Torrence stated that he felt the Board should be prepared to make the decision on the courthouse on April 5.

Mr. Carter stated that he had just a couple of things to say. He continued that there was not a shadow of a doubt in his mind that this issue did not need to go on a referendum. Mr. Carter stated that he felt they were elected to make these decisions and that they needed to do their job and make the decision. Mr. Carter asked Mrs. Ferguson to give them the latest information available for the two options in order for them to review it prior to the April 5, 1999 meeting.

Mr. Moore began that as far as he could tell no one but the members of the Historical Society wanted to build a new Courthouse. Mr. Moore continued that we could put all parking across the street if necessary. Mr. Moore agreed that this issue did not need to go as a referendum on the ballot.

Mrs. Ferguson explained that she had contacted the Department of Historic Resources concerning grants for restoration of the Courthouse. Mrs. Ferguson explained that she had been informed that there were grants available from the general assembly to restore

historic buildings but they were granted on a 50/50 basis. Mrs. Ferguson continued that the money could only be used for restoration and the County would have to pay cash as their 50 percent.

Mr. Craddock asked the Board to please consider participating in the Regional Renaissance Program because he felt this would be a great benefit to the entire region.

Mr. Bosiger informed the Board that Virginia Fibre had scheduled the plant tour and dinner for May 20, 1999 at 5:00 P.M. to begin at their Riverville Plant.

Mr. Bosiger explained that he needed the Board to pass a resolution concerning the Industrial Access Road into the Industrial Park.

After discussion, Mr. Carter made a motion seconded by Mr. Torrence to adopt the following resolution:

At a reconvened meeting of the Appomattox County Board of Supervisors held on March 22, 1999, on a motion by Mr. Carter, seconded by Mr. Torrence, the following resolution was adopted by a vote of 5 to 0:

WHEREAS, the Industrial Development Authority of Appomattox County, Virginia has acquired property located in the County of Appomattox for the purpose of industrial development; and

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment; and

WHEREAS, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with State Route 26; and

WHEREAS, the County of Appomattox hereby guarantees that the necessary right of way for this new roadway and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED THAT: The Appomattox County Board of Supervisors hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the cost of the road; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying investment does not occur on parcels 1 and 6 within three years of the Commonwealth Transportation Board's allocation of funds pursuant to this request.

BE IT FURTHER RESOLVED THAT: The Appomattox County Board of Supervisors hereby agrees that the new roadway so constructed will be added to and become a part of the Secondary System of Highways.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that he would like to know the status of the situation with Mr. Bobby Moore. Mr. Bosiger continued that he had received a call from a neighbor of Mr. Moore's and that they said that Mr. Moore was not moving the trailers and that he was storing chicken litter on the property.

Mr. Lawson answered that he had spoken with Mr. Moore's attorney and told him that they could leave the trailers on the property until Monday night, March 15, 1999 when the public hearing would be held on his rezoning request.

Mr. Moore explained that Mr. Moore had withdrawn his request Monday night at the urging of the Planning Commission.

Mr. Lawson wanted to know if the Board wanted him to contact Mr. Moore's attorney and have him tell Mr. Moore to move everything until this matter could be settled?

Discussion followed.

After discussion and by consensus of the Board it was agreed that Mr. Lawson would contact Mr. Moore's attorney and instruct Mr. Moore to move the trailers off the property within three days.

Mr. Bosiger called for any other business.

Mr. Torrence stated that he hoped the Board would make a decision on the Courthouse at the April meeting and consider some options for the museum and some consideration be given to landscaping for Courtland field.

Mr. Moore asked what would be wrong with the museum being moved to the Visitor's Center? Mr. Moore stated that he felt that was where the museum should be.

Mr. Carwile stated that he would like each Board member to respond as to the comments that they are receiving reference the Courthouse.

Mr. Carwile stated that he would start off that the comments he received were for new. He continued that he would say that the ones that he was getting this from were the members of the Historical Society.

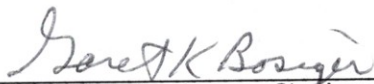
Mr. Torrence stated that he spoke with various business people that had signed Mr. Phelps' petitions that told him to scratch their names because they did not understand the facts when they signed the petition. Mr. Torrence stated that he had not had but one person to say they wanted to build new and that person was with the Historic Society.

Mr. Bosiger stated that 99% of the people who spoke with him wanted to renovate and keep the cost as low as possible.

Mr. Moore stated that everyone that he spoke with wanted to renovate.

Mr. Carter stated that only three people that he spoke with wanted new the rest wanted to renovate.

Being no further business, Mr. Moore made a motion seconded by Mr. Carter to adjourn at 9:33 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 5, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Bosiger called the meeting to order at 7:00 P.M. and asked Mr. Moore to deliver the invocation.

Mr. Bosiger then called for additions or corrections to the minutes.

Mr. Carter stated that in the minutes of the joint work session of March 13, 1999 third paragraph from the bottom, the minutes stated that Mr. Spiggle then asked... but it was Mr. Torrence that brought this matter up.

Mr. Carwile then made a motion seconded by Mr. Torrence to approve the minutes of the regular meetings of February 1, 1999, February 16, 1999, March 1, 1999, March 15, 1999; recessed meetings of February 22, 1999, March 8, 1999, March 9, 1999, March 10, 1999, March 22, 1999; public hearings of February 16, 1999, February 22, 1999, March 15, 1999; and a joint work session of March 13, 1999, as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called on Mr. Don Austin, VDOT, to appear before the Board.

Mr. Austin began by explaining that he had a couple of items for the Board, the first being the status of improvements to Route 632. Mr. Austin continued that the contract had not been let on this job as of yet. Mr. Austin continued that the work that had been done was only to "daylight" the curve. Mr. Austin explained that this project might be advertised next month.

Mr. Austin then stated that the project on route 663 was scheduled for advertisement in May 1999.

Mr. Austin informed the Board that his understanding concerning the repairs to the railroad crossing on Main Street were due to begin the first part of April 1999.

Mr. Bosiger then informed Mr. Austin that the Board had received a request for a resolution from Henry County concerning VDOT maintaining all drainage easements. Mr. Bosiger asked Mr. Austin if he would care to comment on this request.

Mr. Austin explained that the only easements that VDOT does not maintain at this time are those that are established within subdivisions. Mr. Austin continued that years ago they did maintain all easements until they were instructed not to maintain those in subdivisions.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to adopt the following resolution:

WHEREAS, the Board of Supervisors is concerned about the safety of roads in Appomattox County and the necessity to handle storm water run-off; and

WHEREAS, road construction often requires the creation of drainage easements and

WHEREAS, drainage easements serve as a channel for handling water that accumulates due to road surface runoff and natural drainage patterns; and

WHEREAS, drainage easements include ditches, culverts, underground pipes, other associated structures; and

WHEREAS, when the channel for the water becomes blocked, corrective measures are necessary to clear the channel to permit proper water flow; and

WHEREAS, previously the Virginia Department of Transportation (VDOT) has maintained drainage easements resulting from road construction outside of the road right-of-way; and

WHEREAS, VDOT advised that due to increased cost and a limited number of resources, they will only maintain drainage easements within the limits of the dedicated road right-of-way; and

WHEREAS, this change of policy has created a potential safety problem and a hardship in Appomattox County; and

WHEREAS, Appomattox County does not have the resources to maintain drainage easements from road construction;

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of April 1999, that the Appomattox County Board of Supervisors does hereby request the Virginia Department of Transportation to reconsider its policy concerning the maintenance of drainage easements, and begin providing this service for the citizens of Appomattox County and the Commonwealth of Virginia.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being nothing further for Mr. Austin, he was thanked and excused.

Mr. Bosiger then asked if the other members of the Board were prepared to approve the April 5, 1999 bills for payment?

Mr. Carwile made a motion seconded by Mr. Torrence to approve the April 5, 1999 bills for payment. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for Supervisor Concerns.

Mr. Carwile asked the status of the zoning petition of Wilsie Cobbs.

Mrs. Ferguson explained that the Board of Zoning Appeals had approved Mrs. Cobbs request.

Mr. Torrence asked if the Board was prepared to appoint a person to the Public Safety Committee?

By consensus it was agreed to make this appointment at a later date.

Mr. Bosiger asked if anyone had any other concerns?

Mr. Carwile asked to be recognized to speak with reference to the Courthouse and was recognized by the Chairman.

Mr. Carwile began that at the regular meeting on March 1, 1999 the Board set April 5, 1999 as the date to make the decision on the Courthouse. Mr. Carwile continued that also they set March 22, 1999 as the date for a public comment session on the Courthouse. Mr. Carwile stated that at the meeting of March 22, 1999 after the public comment session,

Mr. Carwile said he expressed his opinion to the other members of the Board of the dilemma that he felt it would put the Board in to make this crucial decision. Mr. Carwile stated that at the same time to keep down grievance and maintain peace and harmony. Mr. Carwile continued that yes, the Board could do the right thing. Mr. Carwile stated that he felt this issue should be put on a referendum. Mr. Carwile stated that from some of the comments from other supervisors he felt that they were also concerned with what was the right thing to do. Mr. Carwile continued that the time was upon them that was set by the Board to act on the Courthouse issue. Mr. Carwile stated, "let's hit the nail squarely on the head and do the right thing". Number one lets give the people a voice in the issue at the polls. Number two, let's meet with clubs and organizations seeking to be better informed and with factual information provided by the Board the County Administrator so that they can be better informed to make the right decision at the polls in November 2, 1999. Mr. Carwile continued that he would like to go on to say, "let's not be led to accept a dollar figure for renovation when there is no dollar figure of cost in the unknown with renovation". Mr. Carwile stated, "let's not think that a Band-Aid to be a panacea of the Courthouse issue. I do not see band-aiding something to be the cure for all of the issues that are here with the Courthouse". Mr. Carwile continued that the Board could not keep the feelings of the historical people in mind with the present renovation plans. Mr. Carwile stated that cost was not a determining factor with either option but the unknown encountered in renovation is the big question of dollars cost on completion. Mr. Carwile addressed the other members of the Board and stated, "we need to stand united with the people not divided on this issue". Mr. Carwile asked the other members of the Board to be heartfelt and let their actions be in the interest of all the citizens. Mr. Carwile asked the other members of the Board to do the right thing and take this dilemma off the shoulders of the Board and let the people decide on November 2, 1999 by a referendum, simply, renovate or build a new courthouse.

Mr. Bosiger asked if anyone else wished to comment.

Mr. Torrence began that with all due respect to Mr. Carwile's comments, he felt that it was clear what the public wanted. Mr. Torrence continued that with the best information that was available to the Board they were talking about a 1.7 million dollar savings, renovation over new. Mr. Torrence stated that the Board had done their job, they had listened to the public, and that with the comments that had been received he did not feel that this was even a close decision. Mr. Torrence continued that he would like to make a motion to renovate the Courthouse. Mr. Carter seconded the motion.

Mr. Bosiger called for discussion.

Mr. Carter said that he would like to comment that the people that he had spoken with in the Courthouse District, and some outside the Courthouse District, the overwhelming majority was in favor of renovating the existing courthouse in lieu of building a new courthouse or a referendum. Mr. Carter stated that the idea of a referendum had come about in his discussions with people just today. He continued that he had received six telephone calls today from citizens that wanted a referendum but that most of the people that he spoke with had said they elected the Board to make these decisions. Mr. Carter

continued that the only way that the Board could effectively do their job was to listen to the voice of the local citizens.

Mr. Carwile addressed the Chair and stated that he felt that it was in order at this point before any further discussion that he offer a substitute motion to the main motion. Mr. Carwile asked the Chair if he recognized the substitute motion.

Mr. Torrence stated that he would call Mr. Carwile out of order because there was no such thing as a substitute motion. Mr. Torrence continued that Mr. Carwile could make an amendment but that there was no such thing as a substitute motion.

Mr. Carwile stated that there was such a thing as a substitute motion to the main motion.

Mr. Bosiger stated that he would like to take a short recess to review Roberts Rules of Order before making a decision on this matter.

Mr. Torrence stated that he had no problem with that but the Board had just gone through a similar issue with Mr. Carwile and that at that time our Attorney had determined that Mr. Carwile was out of order. Mr. Torrence continued that unless it adds to or deletes from the main motion it is out of order. Mr. Torrence stated that if Mr. Carwile wanted to state what the motion was then maybe a determination could be made.

Mr. Carwile said that he was ready to state his motion. He continued that the motion that Mr. Torrence was referring to, that was ruled out of order, that he still did not necessarily agree but he bided by the decision, was a privileged motion. "But", Mr. Carwile continued, "I'm offering a substitute motion to the main motion and Dennis you have fooled with this enough to know that it is permissible".

Mr. Bosiger asked what the substitute motion was.

Mr. Carwile stated, "that the substitute motion is, that he felt so heartfelt about this here, that the substitute motion was, that this here would be put on a referendum for November 2, 1999, and it would be, build new courthouse or renovate the existing one".

Mr. Torrence stated that his point of order is simply that Mr. Carwile's motion is another totally different motion that has nothing to do with the main motion directly.

At 7:35 P.M. Mr. Bosiger stated that he would call for a recess until he had an opportunity to review Roberts Rules of Order.

Mr. Bosiger reconvened the meeting at 7:43 P.M. and stated that in order to make sure that we let all sides have a fair say he will let the substitute motion stand.

Mr. Bosiger called for a second to the motion.

Hearing no second, Mr. Bosiger declared that the substitute motion died for lack of a second.

Mr. Bosiger restated the main motion as made by Mr. Torrence and seconded by Mr. Carter was for renovation of the Courthouse.

Mr. Bosiger asked if anyone else would like to make a statement?

Mr. Moore said that he would like to make a statement and continued that he had been contacted in the last two days by a number of people from the historical society asking for referendum. Mr. Moore continued that no one except the people from the Historical Society had made this request. Mr. Moore stated that many people had approached him at various places and that, except for the members of the Historical Society, he had not had the first person to tell him to build new. Mr. Moore continued that on the basis of these conversations he had felt that renovation was what the people wanted and that he saw no need to prolong this decision. Mr. Moore in closing stated that he was being honest in his support of renovation due to the feed back that he had received.

Mr. Bosiger began that he was speaking as the representative to the Falling River District not as Chairman of the Board. Mr. Bosiger continued that a month ago he was very much in favor of a referendum. Mr. Bosiger stated that after hearing the comments from the public session and listening to the citizens in the Falling River District, who are overwhelmingly in support of renovation. Mr. Bosiger continued that their reasons were not necessarily financial as far as the initial expense, but that if we renovate the Courthouse we will continue to use it but if we build new what will we do with the present Courthouse. Mr. Bosiger continued that they had seen buildings in other Counties vacated and finally taken down due to deterioration. Mr. Bosiger explained that he understood that there were unknowns when it came to renovation but those unknowns would always be there and sooner or later they would have to be dealt with. In closing, Mr. Bosiger stated that he felt the best way to preserve the Courthouse was to renovate. In closing Mr. Bosiger stated that he had come to the conclusion after hearing from the people that dragging this issue out with a referendum was not the way to go.

Mr. Torrence stated that when the information was first presented from Craddock Cunningham he thought that the idea of renovation was one that everyone would be in favor of because it would provide some much needed repairs to the Courthouse. Mr. Torrence continued that he still believed that the thing to do to preserve this building was to renovate the building and continue to use it.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger called for a vote:

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile, NO. Mr. Carwile continued, "Mr. Chairman, I respectfully decline to support the motion and cast my vote no. My heartfelt feeling is that this should be on the

referendum and let the people decide. That is my reason and I ask Aileen that this be put in the minutes."

Mr. Bosiger then presented the next item on the agenda, committee and board appointments.

Mr. Bosiger explained that Regional Renaissance was asking for an appointment to their Board of Directors. Mr. Bosiger reminded the other members of the Board that this was not their first request for an appointment.

After discussion, no action was taken.

Mr. Bosiger then explained that there were several appointments necessary to the Disability Services Board.

Mr. Carwile made a motion seconded by Mr. Carter to appoint Linda Booth to the Disability Services Board for a term to expire October 31, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to reappoint Mr. Ferguson to the Disability Services Board for a term to expire October 31, 2001. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented a request for a Musical or Entertainment Festival Permit application for Stonewall Vineyards Mayfest. Stonewall Vineyards also asked that their bond be waived.

Mr. Carwile made a motion seconded by Mr. Torrence to approve Stonewall Vineyards Musical or Entertainment Permit for their Mayfest and waive the bond requirement. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there was information enclosed for the Board's review concerning the second phase of the roof replacement at the High School. Mr. Bosiger continued that since Mr. Blair Smith and Dr. Krug were in the audience he would like for them to come forward to answer questions that the members of the Board might have.

After a lengthy discussion, it was agreed to hold this matter until the April 15, 1999 meeting for Mr. Smith to provide information that the Board requested and explain several areas of concern with the bids received.

Mr. Bosiger next explained that there were a number of supplemental appropriation requests for Board approval.

Mr. Torrence made a motion seconded by Mr. Carter to approve the following supplemental appropriations:

\$18,743.00 to 2106-7001

5,000.00 to 3102-1003

50.00 to 3501-5402

23.90 to 7301-5411

5.00 to 7301-5401

102.97 to 5310-3002

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then stated that there were several line-item transfers for approval:

Mr. Torrence made a motion seconded by Mr. Moore to approve the following line item transfers:

\$ 85.00 from 1101-5804 to 2102-3005

3200.00 from 1101-5804 to 4204-3002

305.00 from 1101-5804 to 3501-5802

1074.00 from 1101-2005 to 3102-2005

363.40 from 1101-5804 to 4204-3007

260.94 from 1101-5804 to 1101-3002

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then informed the Board of several livestock damage claims.

Mr. Carter made a motion seconded by Mr. Torrence to approved livestock damage claim payments for the following individuals:

W. E. Bondurant, Jr. \$100.00

Raymond A. Moore \$100.00

Glover D. Gilliam \$442.50

Shane Cash \$200.00

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore asked if we could not make this an issue for the legislative agenda for next year asking that some relief for localities in this area.

By consensus it was agreed that Mrs. Ferguson would write to VACo and ask that this matter be made a part of their 2000 legislative agenda.

Mr. Bosiger then presented a request from Mr. Bickhill for an appropriation from the Law Library Fund.

Mr. Torrence made a motion seconded by Mr. Carter to appropriate \$250.17 from the Law Library Fund for the month of April 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented a copy of the Memorandum of Understanding between the Town/County/IDA for water and sewer service to the industrial park. After discussion it was agreed to act on this issue on April 12, 1999 at 6:00 P.M.

Mr. Bosiger then explained that the Board needed to set a date for the Budget public hearing.

After discussion and by consensus of the Board, it was agreed to hold the public hearing on the FY2000 Budget on April 26, 1999 at 7:00 P.M.

Mr. Bosiger then explained that NACo was again offering a reduced membership to the County.

After discussion and by consensus of the Board it was decided that the County would not apply for membership to NACo.

Mr. Bosiger then explained that the Board would need to make a decision on whether to proceed with the gas remediation plan for the landfill.

After discussion and by consensus of the Board it was agreed to proceed with the gas remediation plan for the landfill.

Mr. Bosiger next presented a request from Central Virginia Community Services Board for a declaration recognizing April 18, 1999 as Central Virginia Community Services Day in Appomattox County.

Mr. Moore made a motion seconded by Mr. Carter to adopt the following declaration:

APPOMATTOX COUNTY BOARD OF SUPERVISORS

Presents this

EXECUTIVE DECLARATION

In observance of

April 18, 1999

As

CENTRAL VIRGINIA COMMUNITY SERVICES DAY

Whereas Central Virginia Community Service has provided mental health, mental retardation, substance abuse, and prevention services to the people of Central Virginia, and

Whereas Central Virginia Community Services is celebrating 30 years of providing these services to area citizens,

Therefore, I, The Appomattox County Board of Supervisors do hereby declare the 18th day of April 1999, as Central Virginia Community Services Day urging all citizens to be cognizant of the importance of the services provided, and to recognize and appreciate the vital role plays in our areas

Done at Appomattox County this 5th day of April, in the year of our Lord nineteen hundred and ninety nine.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then informed the Board of several upcoming events.

Mr. Bosiger then explained that the Governor was requesting volunteers to coordinate a campaign in each locality for Operation Spruce-Up. Mr. Bosiger continued that a packet of information was enclosed in the Board Book and if any member knew of an organization that would be interested they could provide this information to the group.

Mr. Bosiger explained that the Oakville Ruritan Club had requested someone attend their May 1999 meeting to explain the Courthouse proposal.

After discussion, it was agreed that Mr. Moore and Mr. Carroll or Mrs. Ferguson would attend this meeting to provide the most current information.

Mr. Bosiger then explained that the Regional Dinner was scheduled for April 29, 1999 at 6:30 P.M. at Jeanne's Restaurant. Mr. Bosiger asked who planed to attend.

All members expressed that they planned to attend.

Mr. Bosiger next explained that Mr. Wayne Phelps had requested permission to take the cannon from the Courthouse lawn to the reenactment for display.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to allow Mr. Wayne Phelps to take the cannon from the Courthouse lawn and display it at the reenactment site as long as it is covered by the proper insurance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if any action was necessary from the Board concerning the dog confinement period.

Mrs. Ferguson explained that the confinement period was set by ordinance each year.

Discussion followed concerning the best method to approach this confinement to receive the best results.

After discussion and by consensus of the Board it was agreed to ask the Animal Control Officer to work Saturdays during the confinement period checking license only recognizing that additional funds may have to be appropriated for overtime.

Being no further business, Mr. Bosiger explained that an executive session was necessary to discuss a personnel issue and land acquisition.

At 9:05 P.m. on a motion by Mr. Torrence seconded by Mr. Carter it was agreed to enter into executive session to discuss a personnel matter and land acquisition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence at 10:55 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if action was necessary from the executive session.

Mr. Carter made a motion seconded by Mr. Torrence to extend probation for Alice Rockefeller for two weeks. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being nothing further at 11:05 P.M. Mr. Carwile made a motion seconded by Mr. Torrence to recess until April 12, 1999 at 6:00 P.M. in the Courthouse. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint meeting of the Appomattox County Board of Supervisors and the Appomattox County I.D.A. was held on April 12, 1999 at 6:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (I.D.A.):

Bill Slagle – Chairman – I.D.A.
Floyd Williams
Winfred Nash
Richard Robinson

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order and thanked the I.D.A. for meeting with the Board to provide information on the progress of the industrial park development.

Mr. Bosiger then asked Bill Slagle to update the Board on the activities of the I.D.A.

Mr. Slagle then provided an update of the progress on the industrial park.

Mr. Slagle then explained that there was an opportunity for the Board and the I.D.A. to apply for a grant to help with infrastructure in the industrial park. Mr. Slagle explained that the amount of the grant was 1.6 million which requires a 50% match from the locality. Mr. Slagle explained that the \$800,000.00 matching funds could come from the bond that was recently received.

Mr. Slagle and Mr. Carroll then answered questions related to the grant application.

After discussion, Mr. Moore made a motion seconded by Mr. Torrence to enter into a grant application with the I.D.A. for infrastructure installation in the industrial park.

Vote: Mr. Bosiger, Aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Slagle then asked the Board if they were in a position to enter into the Memorandum of Understanding with the Town of Appomattox to provide water and sewer capacity for the industrial park?

Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to enter into the Memorandum of Understanding with the Town of Appomattox as revised on April 8, 1999 and as follows:

This agreement, made this 12th day of April, 1999, by and between the Town of Appomattox, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Town", party of the first part; and the County of Appomattox and the Industrial Development Authority of the County of Appomattox, political subdivisions of the Commonwealth of Virginia, hereinafter referred to as "County" and "IDA", respectfully, parties of the second part.

WHEREAS, the Town operates a sewage treatment plant, currently with a capacity of 54,000 gallon per day, which is being increased to a capacity of 300,000 gallons per day, and

WHEREAS, County and IDA wish to purchase the right to use 146, 000 gallons per day for industrial/commercial enterprises in the Park, and Town is willing to allocate such use under the following terms and conditions, and

WHEREAS, the Town operates a water system consisting of 6 wells and an annual production of approximately 72,000,000 gallons and is willing to sell water to customer in the industrial park.

NOW THEREFORE WITNESSETH,

I. DEFINITIONS:

- A. Operational Costs: Direct costs to the Town for basic functioning and operating its water or sanitary sewer facilities (i.e. electricity, salaries, equipment, etc.).
- B. Industrial Park: The real estate located in the County of Appomattox fronting State Route 613 (Police Tower Road), State Route 26 and access to Highway 460 located behind History Junction Shopping Center in Southside Magisterial District consisting of 575 acres.
- C. Maintenance Costs: Costs to the Town as a result of regular care and upkeep for its water or sanitary sewer systems.
- D. Pretreatment Ordinance: That ordinance enacted by the Town to require pretreatment of commercial and industrial waste entering the Town's sewage system, as required by federal and state regulations.
- E. Routine maintenance on the water lines consists of the following:
 - a. Twice a year the hydrants must be flushed and the valves must be operated.
 - b. Perform yearly inspections on all pressure reducing valves.
 - c. Perform yearly inspections on the chlorine injectors.
 any maintenance that is required above and beyond those items listed above shall be considered unusual maintenance.
- F. Routine maintenance on the sewer lines consists of the following:
 - a. Twice a year the manholes must be visually inspected.
 - b. The lines must be checked periodically to make sure none have broken.

- c. Approximately one month out the year is dedicated to routine line cleanout. Any maintenance that is required above and beyond those items listed above shall be considered unusual maintenance.

II. AGREEMENT

For and in consideration of the mutual covenants and agreements contained herein, the parties hereto do agree as follows.

A. Sanitary Sewer System:

- (1) Town will require by ordinance, pretreatment of all industrial wastes that exceed normal residential strength or that contains constituents regulated under the Town's discharge permit. Industrial/commercial enterprises will be required to perform monthly testing on industrial/commercial waste and reporting to the Town of all waste streams that enter the wastewater system, unless it can be demonstrated that testing is not necessary to insure compliance with the pretreatment ordinance. Individual water meters at service connections may be turned off if industry does not comply with the pretreatment ordinance.
- (2) County agrees to participate on a percentage basis for any capital improvements projects at the wastewater treatment plant as that capital improvement relates to or is required by the industrial park (i.e. mandated regulatory improvements). Percentage will be computed by $(146,000 \text{ gpd reserved for park} / 300,000 \text{ gpd total}) = .4867$ or 48.67%.
- (3) Town will maintain ownership and operation of the wastewater treatment facility and shall reserve a capacity of 146,000 gallons per day (gpd) of capacity for the Industrial Park.
- (4) As long as the industrial/commercial waste produced meets the requirement of the pretreatment ordinance, and the County's 146,000 gpd allotment at the wastewater treatment facility has not been exceeded, any industrial park customer may connect to the sewer system immediately.
- (5) County shall participate in the capital costs of the wastewater treatment plant upgrade to 300,000 gpd on the basis of the following:

$$\text{County Cost} = (\text{Total Upgrade Cost} - \text{Lagoon Closure Cost}) \text{ divided by } 300,000 \text{ gallons} = \text{per gallon cost} \times 146,000 \text{ gpd}$$
- (6) County will pay Town two(2) payments per year for five (5) years to pay off its portion of the wastewater treatment plant upgrade actual capital costs. The payments from the County will be at a 0% interest rate. Extra project costs (i.e. loan closing costs, permit fees, etc.) shall be shared according to the following formula.

$$\text{County's Portion of Cost} = (48.67\%) \times \text{Costs}$$
- (7) The Town shall have the option to buy back unused capacity at the wastewater treatment facility at a cost to be determined by a mutual agreement between the Town and County.
- (8) County shall have the option to purchase additional capacity, if available, at the wastewater treatment plant at a cost to be determined by mutual agreement between the Town and County.
- (9) Each customer within the Industrial Park will be required to have a water meter on potable water and a sewage sampling station located prior to it's connection to the wastewater collection system.

B. Water System:

- (1) The IDA will grant the Town the right to develop well sited on the industrial Property at a future date as a supplemental source for the Town's water system at a location to be identified prior to industrial clients entering the park. The well sites will be owned and controlled by the Town.
- (2) County to participate on a cost basis for capital expenditures associated with Water source development when required by the industrial park (i.e. new wells drilled or existing well tied to by the Town)
- (3) Town will read individual water meters and bill all customers within the industrial park.
- (4) A backflow prevention device approved by the Town and Virginia Department of Health shall be installed by each customer at their expense to protect all connections to the Town water system.
- (5) The Town commits 45,000 gpd of capacity from its water system to the Park. This capacity may be increased by mutual agreement made at a later date between the Town and the County.
- (6) As long as the allotment is not exceeded, any industrial park customer may connect to the water system immediately.

C. Water and Sanitary Sewer Systems:

- (1) The water and sanitary sewer services described herein are to be only for the Industrial Park and/or recreational area/Community Park unless otherwise approved by the Town.
- (2) A master meter shall be installed on both the water and sewer services to the industrial park by Appomattox County/IDA at their expense.
- (3) The Town must be notified when a water or sewer line is extended in the Park, or when a new customer is added. Priorities for extensions of said lines by County/IDA will be on an as-needed basis as industries locate in the Park. All extensions and laterals will be in accordance with the Town standards and all prevailing local, state, and federal regulations. Any easements required for installations for any water line or sewer line required to service the industrial park are to be obtained by the County/IDA.
- (4) All extensions of the water and sewer lines within the Park are to be at the sole cost of the County/IDA.
- (5) The Town will maintain the water lines, gravity sewer lines, pump station, and force main inside the Park boundary. Operations costs of the water and sewer systems on the Park property shall be shared by the Town and County, based on the following formula:

$$(County's Portion of Cost = Park Water \& Sewer Revenues - Operations Costs) \text{ until such time that the water and sewer revenues match or exceed the Operations cost.}$$
- (6) Maintenance costs for the water and sewer systems associated with major breakdowns or line replacements within the park boundary, beyond those described in definition E & F shall be shared by the Town and County based on the following formula:

County's Portion of Cost = (48.67%) x Costs

If maintenance is required due to an intentional or unintentional inappropriate action by either the Town (it's employees, contractors, or customers) or the County (it's employees, contractors, or customers), the costs for said maintenance shall be the sole responsibility of the faulty party. If questions arise as to who is at fault party. If questions arise as to who is at fault, both parties agree to Arbitration, according to the rules of the American Arbitration Association.

- (7) The Town will participate on a 25% basis of actual costs for the extensions of the water line and sewer force main to the boundary of the Park, some water/sewer extended outside the park boundary will serve only the Industrial Park/recreation Area and will be owned solely by Appomattox County/ IDA but under this agreement will be maintained by the Town.
- (8) Availability fees associated with industries shall be waived; however, out of Town consumption rates will apply to all industrial park customers.
- (9) This agreement shall be binding upon and inure the benefit of the parties hereto and their successors but is not assignable without consent of both parties.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

TOWN OF APPOMATTOX

By: Ronald C. Spiggle
Mayor

Bobbie H. Mullins
Clerk

COUNTY OF APPOMATTOX

By: Garet K. Bosiger
Chairman, Board of Supervisors

Aileen T. Ferguson
Clerk

INDUSTRIAL DEVELOPMENT AUTHORITY

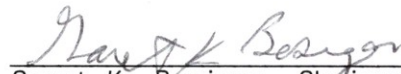
By: William S. Slagle
Chairman

Floyd Williams
Secretary

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger and other members of the Board thanked the I.D.A. for their commitment to this endeavor.

Being no further business with the I.D.A. the meeting was recessed until 6:43 P.M.


Garet K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 12, 1999 at 6:55 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger reconvened the meeting at 6:55 P.M. and asked Mrs. Shirley Jones to appear before the Board.

Mr. Bosiger explained that Mrs. Jones had been invited to appear before the Board to provide information related to several requests for information on the Section 8 housing program.

Mrs. Jones began by saying that she had contacted Linda Bachman with V.H.D.A. concerning the Board's request for information related to clients and landlords. Mrs. Jones explained that Mrs. Bachman had told her that this information was protected under the privacy act and that the Board of Supervisors could not have access to the information for this reason. Mrs. Jones continued that if the Board was still concerned with receiving this information she would recommend a letter be drafted to Mrs. Bachman officially requesting the information.

Further discussion followed concerning the Section 8 Housing Program in Appomattox County.

After discussion Mrs. Jones was asked to provide an income form that is used in the Section 8 program for the Board to review.

Mr. Bosiger then thanked and excused Mrs. Jones.

Mr. Bosiger then called upon Sheriff Staples to appear before the Board.

Sheriff Staples explained that his reason for requesting a meeting with the Board was to request that the funding that was cut from his FY2000 budget be reinstated. Sheriff Staples presented a handout to the Board that reflected the cuts in his proposed FY2000 budget request and the decreases over last years approved budget. Sheriff Staples proceeded to explain that the proposed cuts would seriously hinder the effectiveness of his operation.

The members of the Board asked several questions of Sheriff Staples concerning his budget requests.

A lengthy discussion followed on the number of vehicles that need to be replaced in the FY2000 budget year.

The addition to the Sheriff's Office and the next step towards this project was discussed. No action was taken except to assure Sheriff Staples that the Board was committed to this addition.

After discussion the Board assured Sheriff Staples that they would carefully consider his comments and let him know whether funding will be restored to his FY2000 budget.

Mr. Bosiger thanked and excused Sheriff Staples and asked Mr. Danny Booker to appear before the Board.

Mr. Booker began that he was coming to the Board to thank the Board for their support for Gladstone Fire Department and ask if funding could be increased in FY2000. Mr. Booker continued that the Gladstone Fire Department was in the process of equipping an evacuation center at the Fire Department and that this project was placing additional demands on their finances. Mr. Booker explained that the Gladstone Fire Department served a number of citizens in Appomattox County. Mr. Booker continued that last year the Gladstone Fire Department responded to 26 calls in Appomattox County.

Mr. Booker continued with a number of projects that is being undertaken by Gladstone Fire Department in Appomattox County. Mr. Booker also listed the cost of numerous items that the Gladstone Fire Department was presently in need of.

After discussion, Mr. Bosiger asked Mr. Booker how much funding the Gladstone Fire Department was requesting from Appomattox County.

Mr. Booker stated that any additional funding would be appreciated but \$10,000.00 would go a long way towards helping them get their evacuation center into place.

Mr. Bosiger thanked and excused Mr. Booker and explained that Mrs. Ferguson had several issues related to the FY2000 budget that she needed to discuss with the Board.

Mrs. Ferguson provided the Board with the FY2000 budget synopsis that was ready for publication as soon as the Board approved the date for the budget public hearing. Mrs. Ferguson continued by explaining that in order to balance the budget and not raise the tax levy the Board would have to use \$362,464.00 of carry over funds.

Discussion followed concerning the budget.

After discussion and by consensus of the Board it was agreed that the FY2000 County Budget public hearing would be scheduled for April 26, 1999 at 7:00 P.M. in the Courthouse.

The Library budget was discussed and after discussion the Board asked Mrs. Ferguson to invite the members of the Library Board to meet with the Board of Supervisors to discuss several matters concerning library operations.

Mr. Bosiger then informed the Board that a letter had been received from Fauber Architects concerning the bids on Phase II of the High School Roof. Mr. Bosiger read the letter to the other members of the Board. (Letter on file in the County Administrator's Office).

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to have the School Board accept the low bid for roof repairs at the high school and negotiate an average of the prices for replacing decking and nailers. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then asked the other members of the Board if they wished to discuss the real estate tax levy for 1999.

A lengthy discussion followed.

After discussion Mr. Carter made a motion seconded by Mr. Carwile to leave the real estate tax levy the same as 1998. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that an executive session was necessary in order to discuss a personnel matter.

At 9:30 P.M. on a motion by Mr. Carter seconded by Mr. Torrence it was agreed to enter into an executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence at 9:55 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Torrence the following resolution was adopted:

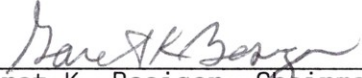
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 9:56 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


Garet K. Bosiger, Chairman

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, and the Appomattox County Planning Commission was held on April 19, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Samuel E. Carter – Vice-Chairman – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District

Present (Town Council):

Ronnie Spiggle - Mayor

Absent (Town Council):

Dick Bass
Jimmy Mayberry
Steve Lawson
Marvin Mitchell
Joyce Bennett
Lewis McDearmon

Present (Planning Commission):

Calvin Tanner
Wayne Seftor
Wayne Lewis
Kevin O'Brien
Claude A. Moore
Russell Moore

Absent (Planning Commission):

Robert Johnson
Elizabeth Edwards

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney
Mr. W. M. Caldwell – Clerk – Planning Commission

Mr. Carter called the public hearing to order and stated the purpose of the hearing was to receive public comment on several zoning petitions. Mr. Carter continued by giving the procedure for addressing comments to the Board.

Mr. Carter then asked Mr. Caldwell to read the first petition.

Mr. Caldwell read petition number 99-372 of Richard James Purcell Sr. for a special exception use for used car sales on parcel tax map no. 64A6-1-BKA11 located on Dead-end of Patricia Anne Lane. Property is zoned M-1.

Mr. Carter called for comments on this petition.

Hearing no comments, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-373 of Bobby Moore for a conditional zone property from A-1 to M-1 with conditional use permit to allow contractor facilities and storage yard (truck and trailer storage and some heavy equipment). Property is tax map no. 72-A-Railroad Right of Way and is located on Route 741 between Route 24 and Dead End.

Mr. Carter called for comments on this petition.

Mr. Bobby Carter came forward and stated that he was representing Mr. Moore but that he would save his comments for the Planning Commission.

Mr. Carter called for other comments.

Mr. Brian Selz came forward and stated that he was here on behalf of Mr. & Mrs. Bryant. Mr. Selz stated that he had spoken to the Board and Planning Commission twice before and therefore he would make his comments brief. Mr. Selz continued that even though this proposal was slightly different from the two previous ones it was still not a reasonable proposal. Mr. Selz contended that this petition was no more reasonable, feasible, or logical than the previous petitions. Mr. Selz continued that this was still a request to locate an industrial zone in the middle of a residential area. In closing Mr. Selz stated that this was something that should not be done and he would submit that this was probably something that would not hold up if it was done.

Mr. Carter called for other comments.

Mr. Rueben Bryant came forward and gave his address as 247 Station Lane, Concord Virginia. Mr. Bryant stated that this request had been repackaged a little bit and some conditions had been attached to it but it was still an M-1 zone being placed in an agricultural setting. Mr. Bryant continued that the proposed use would be degrading to adjoining property and their quality of life. Mr. Bryant stated that this issue had to do with their homes and that it had to do with where they lived. Mr. Bryant continued that he felt that zoning must be enforced uniformly and consistent. Mr. Bryant implored the Board to render a wise decision. Mr. Bryant provided excerpts from a letter from Mr. Clingenpeel with Norfolk and Southern Railroad explaining that he had never tried to purchase this property. Mr. Bryant said that this should dispel rumors that he was only angry because he had not been able to purchase this property himself. Mr. Bryant also stated that he had been accused of taking keys from equipment that had been stored on this property. Mr. Bryant continued that he wanted to assure everyone that he had not taken keys from anyone. Mr. Bryant thanked the Board for their time.

Mr. Carter called for other comments.

Mr. Gary Martin came forward and gave his address as 177 Station Lane, Concord, Virginia. Mr. Martin began by saying that last month he asked the Board to do the right thing. Mr. Martin continued that he felt that the Board should defend the quality of life for the citizens in this area. Mr. Martin then passed to the Board and Planning Commission some pictures of a mobile home that he said had been pulled onto the property in question. Mr. Martin stated that these pictures should show the complete lack of concern that Mr. Moore had for his neighbors. Mr. Martin stated that he and his neighbors had been forced to live with threats and implied threats. Mr. Martin stated that he was not reassured by the conditions that Mr. Moore had offered because he did not feel that Mr. Moore would adhere to these conditions. Mr. Martin in closing asked the Board to please do the right thing.

Mr. Carter called for other comments.

Mr. James Jordan came forward and gave his address as General Delivery, Concord, Virginia. Mr. Jordan stated that he had been Mr. Bobby Moore's neighbor for a number of years. Mr. Jordan continued that Mr. Moore was the best neighbor that anyone could

have. Mr. Jordan said that he felt the opposition had been misled. Mr. Jordan continued that he did not feel that what Mr. Moore was doing would be a problem for anyone. He asked the Board to grant Mr. Moore's request.

Mr. Carter called for other comments.

Mr. Thomas Booth came forward and gave his address as Route 800, Concord, Virginia. Mr. Booth began that he did not want this facility in his neighborhood. Mr. Booth asked the Board to please look at the pictures carefully. Mr. Booth stated in closing that if this was what Mr. Moore was going to do on this property then he was concerned.

Mr. Carter called for other comments.

Mr. Wayne Phelps came forward and stated that he was a businessman in Appomattox County. Mr. Phelps continued that he had been studying this subject for awhile. Mr. Phelps continued that the one thing that we could not do in this County was let the retired people run the small businesses. Mr. Phelps turned and addressed the audience and stated that if you want to control your neighbors you have to be ready to buy. Mr. Phelps stated that he had some problems with this himself. Mr. Phelps again stated that you couldn't let retired people run this County. Mr. Phelps continued that he was a small businessman and that he had run into this same problem. He continued that if you keep putting up with this then they would shut down everything that we have. Mr. Phelps stated that he suggests to the Planning Commission and Board of Supervisors that Mr. Moore be granted a Conditional Use Permit to park his trailers. Mr. Phelps stated that he felt this was the only fair thing to do. Mr. Phelps stated that when you were talking about agriculture property Holly Farms could move in on this property and buy this land.

Mr. Carter addressed Mr. Phelps and asked him to address his comments to the Board and the Planning Commission instead of the audience.

Mr. Phelps stated that he was addressing both at one time. He continued that then what were you going to have a turkey farm? Mr. Phelps said in closing that he felt that a conditional use for trailers and trailers only would be the way to go.

Mr. Carter called for other comments.

Hearing none, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-374 of Walter W. Davenport to rezone property from R-1 to A-1. Property is tax map no. 88-6-J and is located on Route 727 between Route 644 and Route 604.

Mr. Carter called for comments on this petition.

Mr. Davenport came forward and gave his address as P. O. Box 487, Appomattox, Virginia. Mr. Davenport began that he was originally from Cumberland County and that

he had been living in Appomattox County since 1991. Mr. Davenport continued that he wanted everyone to understand that he was not from New Jersey and that he was 74 years old. Mr. Davenport provided his background for the Board. Mr. Davenport explained that he was making this request because he bought this property thinking that he could locate a mobile home in this area. Mr. Davenport continued that after he made the purchase he tried to get a building permit and was told that the property was not zoned properly for mobile homes. Mr. Davenport asked the Board to please carefully consider his request.

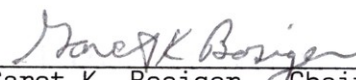
Mr. Carter called for other comments on this petition.

Hearing none Mr. Carter asked Mr. Caldwell to read the last petition.

Mr. Caldwell read petition number 99-375 of Coleman and Julie Smyser to rezone property from B-1 to R-2. Property is tax map no's 64A2(A) 14 & 15 and is located on Route 1068 between Route 131 and Dead-end.

Mr. Carter called for comments on this petition.

Hearing none and being no further petitions, Mr. Carter declared the public hearing closed at 7:35 P.M.


Garet K. Bosiger, Chairman

A regular meeting of the Appomattox County Board of Supervisors was held on April 19, 1999 at 7:45 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Samuel E. Carter – Vice Chairman – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District (late)
Dennis W. Torrence – Appomattox River District

Absent:

Garet K. Bosiger – Chairman – Falling River District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney

Mr. Carter called the meeting to order at 7:45 P.M. and called on Mr. & Mrs. Albert Lewis to appear before the Board.

Mr. Carter invited Mr. & Mrs. Lewis to explain their reason for requesting to meet with the Board.

Mrs. Lewis began by saying that they owned twenty-five acres in the Bent Creek area that was zoned A-1. Mrs. Lewis continued that there were presently two mobile homes located on this property that their children were living in. Mrs. Lewis stated that they were never under the impression that they could not locate more mobile homes on this land because they had other plans for the property. Mrs. Lewis said what they had wanted to do and what they had started on was putting another mobile home on the property but it was actually set up for two more. Mrs. Lewis continued that they wanted to set this mobile home for a family thing. She continued that they had a lot of people who come in from out of town and they wanted a place for them to stay. Mrs. Lewis continued that they had already purchased a trailer. She said that it took them two months to get everything perked and set up. Mrs. Lewis said that when she went after her permit she was told of the ordinance change. Mrs. Lewis stated that she followed the rules as she was told and feels that she should be able to install this mobile home. Mrs. Lewis said that these mobile home installations would not interfere with anybody else because the land was so far out. Mrs. Lewis again said that they had money tied up and would appreciate the Board allowing them to complete this project.

Mr. Torrence asked Mr. Lewis if this third mobile home was not for his uncle?

Mr. Lewis stated that his uncle lived in Lynchburg and if they could get this mobile home set up then he could come on down here. Mr. Lewis stated that he could not understand why he could not get this hooked up.

Mr. & Mrs. Lewis answered questions pertaining to their property and their request.

A lengthy discussion followed.

After discussion Mrs. Ferguson and Mr. Lawson were asked to review the ordinances and see what the options are for Mr. & Mrs. Lewis.

Mr. Carter thanked and excused Mr. & Mrs. Lewis and called on Mr. Richard Martin to appear before the Board.

Mr. Martin came forward and asked if Mrs. Joyce Jamerson would join him since she was also involved in the issue that he wished to discuss.

Mrs. Jamerson came forward and joined Mr. Martin.

Mr. Martin began that his reason for coming before the Board was to try to impress upon the Board the need for at least a part time position to take care of the administrative needs of the CSA program in the County. Mr. Martin continued by giving a break down of the make up of the committee and a brief explanation of the purpose and duties of the various committees associated with CSA. Mr. Martin explained that the individual departments

represented on the committee had each taken their turn handling the administrative function of the committee but that the paper work was becoming complicated and massive and that the time had come that a person needed to be hired to handle these responsibilities. Mr. Martin informed the Board that if the paper work was not managed properly we could be in danger of losing our State funding for this program and the County would have to bear the financial burden of the entire program. Mr. Martin presented financial statistics that show that Appomattox County had managed their program very well over the years and kept the cost extremely low.

Mr. Martin and Mrs. Jamerson answered questions concerning the CSA program.

A lengthy discussion followed on the needs of the CSA program and the best possible way to meet these needs.

After discussion, Mr. Martin and Mrs. Jamerson were thanked and excused.

Mr. Carter called upon the members of the School Board to appear before the Board.

Mr. Lannis Selz, Mr. Bobby Mitchell, Mrs. Martha Pankey, Dr. Walter Krug, Mr. Billy Perrow, and Mrs. Joyce Jamerson came forward.

Mr. Carter welcomed the members of the School Board and the school administrative personnel and explained that the School Board had requested an audience with the Board to discuss the decreases proposed in their FY2000 budget. Mr. Carter asked Mr. Selz if he would like to begin?

Mr. Selz thanked the Board for the opportunity to speak on behalf of their proposed budget. Mr. Selz stated that first he would like to address the issue of the Phase II replacement of the High School roof. Mr. Selz explained that in order to have this work completed in a timely manner a decision on a contractor must be made very soon.

Mr. Torrence asked if Blair Smith had provided the information that the Board of Supervisors had requested?

Mrs. Ferguson explained that the information had been presented at the April 12, 1999 meeting.

Mr. Torrence explained that he still had some problems with the alternate cost on decking replacement.

At 8:53 P.M. Mr. Moore joined the meeting.

Discussion followed.

After discussion Mr. Torrence made a motion seconded by Mr. Carwile to allow the School Board to proceed with the low bid on Phase II of the high school roof. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Selz next explained that the School Board had reviewed the Board of Supervisors proposed reductions to the schools FY2000 budget request. Mr. Selz continued that after reviewing the proposed reductions to the schools FY2000 budget request they feel that they will need at least an additional \$62,000.00 over and above the Board of Supervisors proposal to receive the total State funding. Mr. Selz explained that this increase was due to student enrollment figures. Mr. Selz stated that this was \$15,500.00 more than the auditor had figured. In closing Mr. Selz asked the Board to consider their request favorably so that the minimum funding would be met.

Mr. Carter thanked the School Board and the school administration for their comments and explained the Board would make a final decision on this after the public hearing.

Mr. Carter called for a recess at 9:05 P.M.

Mr. Carter reconvened the meeting at 9:12 P.M. and called for Supervisor Concerns.

Hearing none, Mr. Carter moved to the Administrative Items.

Mr. Carter explained that Mrs. Roberta Womacks' term on the Private Industry Council would expire on June 30, 1999 and asked if the Board wished to reappoint Mrs. Womack.

Mr. Torrence made a motion seconded by Mr. Carwile to reappoint Roberta Womack to the Central Piedmont Private Industry Council for another term. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Carter next explained that there were several supplemental appropriations for consideration.

Mr. Carwile made a motion seconded by Mr. Moore to approve the following supplemental appropriations:

\$ 561.48 to 3102-5408

23,000.00 to 1101 - 5413 for one car for the Sheriff's Department

800.00 to 7301-5415

Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then explained that there were several line item transfers for approval.

Mr. Torrence made a motion seconded by Mr. Carwile to approve the following line item transfer: \$166.68 from 1101-5804 to 1201-7002. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to transfer \$6052.00 from 1101-5804 with the following breakdown \$5200.00 to 7104-1001, \$159.00 to 7104-2001, \$693.00 to 7104-2002 to cover the cost of placing Lela Mann on full time. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter asked if Ms. Mann's hours had been adjusted to take care of the Board's decision that Ms. Mann would cover the rental of the building on the weekend and take time off during the week?

Mrs. Ferguson explained that they had not been adjusted at this point because the Board had requested that she talk with Mrs. Dixon about this suggestion. Mrs. Ferguson continued that Mrs. Dixon had said that she would work with the Board in any manner they felt necessary to keep cost down. Mrs. Ferguson requested that if the Board did make this decision they support Mrs. Dixon when complaints arose because of the recreation office being closed from time to time.

Mr. Carter asked if the Board was ready to set this decision into motion?

By consensus of the Board it was agreed that this action would take affect immediately.

Mr. Torrence made a motion seconded by Mr. Carwile to transfer \$436.20 from 1101-5804 to 3501-7001. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Discussion followed with the consensus of the Board being to make the matter of livestock replacement being a local responsibility to the legislature to try to get some relief for local government.

Mr. Moore made a motion seconded by Mr. Torrence to transfer the following: \$2600.00 from 3102-2001 to 3102-2005 and \$2268.00 from 1101-5804 to 3102-2005. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then explained that the Sons of the Confederate Veterans were requesting that the landfill fees incurred during the weekend reenactment be waived.

Mr. Carwile made a motion seconded by Mr. Torrence to waive the landfill fees for the reenactment. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter next explained that a request had been received from landfill employees that they are allowed to have the wood that would be available at the landfill due to the new construction.

Mr. Torrence made a motion seconded by Mr. Carwile to allow landfill employees to have the wood that would be available due to new construction. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then explained that due to the funding being eliminated for the grant that Mr. Jones has been paid through, Mr. Jones had done some checking with the Office on Youth to see if funding would be available from that source. The Office on Youth administration would like to have a request from the Board if we wish to seek this funding source.

After discussion and by consensus of the Board it was decided not to pursue funding from the Office on Youth.

Mr. Carter then asked the Board if they were prepared to approve the April 19, 1999 bills that have been submitted for payment.

Mr. Torrence made a motion seconded by Mr. Moore to approve the April 19, 1999 bills for payment. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye;

Mr. Carter then explained that an executive session was necessary to discuss personnel.

At 9:55 P.M. on a motion by Mr. Moore seconded by Mr. Torrence it was agreed to enter into executive session to discuss a personnel matter and land acquisition. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore at 10:00 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

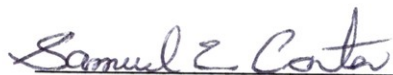
NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter asked if there was action necessary from the executive session.

Mr. Torrence made a motion seconded by Mr. Moore to bring Alice Rockefeller on full time with the standard five percent increase, effective April 1, 1999. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business at 10:00 P.M. Mr. Torrence made a motion seconded by Mr. Carwile to recess until April 26, 1999 after the public hearing on the budget. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.



Samuel E. Carter, Vice-Chairman

A public hearing to consider Appomattox County's FY2000 (July 1, 1999 to June 30, 2000) budget was held by the Appomattox County Board of Supervisors on April 26, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Piney Mountain District
 Dennis W. Torrence – Appomattox River District

Also Present

Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator

Mr. Bosiger called the public hearing to order and stated the purpose of the public hearing was to receive comments on Appomattox County's proposed FY2000 budget. Mr. Bosiger then stated the procedure for addressing comments.

Mr. Bosiger called for comments.

Mrs. Renee Hoffman came forward and gave her address as Route 5 Box 370, Appomattox, Virginia. Mrs. Hoffman began that she had come before the Board many times because of her concern for particular issues. Mrs. Hoffman continued that she had children ages 10, 8, 6, and 4 so therefore she had a very real concern for the school board budget. Mrs. Hoffman continued by listing the various committees that she was on through the school system so therefore she was in the schools on a regular basis. Mrs. Hoffman said that because of this she was aware of many things that need improvement. Mrs. Hoffman asked that the Board of Supervisors fully fund the school board's budget request so that the needs of the children could be met. Mrs. Hoffman in closing reminded the Board that our children were our greatest assets.

Mr. Bosiger called for other comments.

Mrs. Evelyn Ford came forward and gave her address as Route 5 Box 114, Appomattox, Virginia. Mrs. Ford stated that her concerns also were with the proposed reductions in the School Board's budget request. Mrs. Ford stated that her interest was mainly with the arts and specifically music. Mrs. Ford provided members of the Board with an article that pointed out the importance of music in a child's life and the benefits that were derived from a musical environment. Mrs. Ford asked the Board to fully fund the school's budget in order to enhance our children's education.

Mr. Bosiger called for other comments.

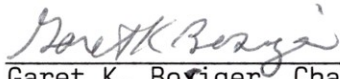
Mr. Mark Shutt came forward and gave his address as Route 5 Box 1169, Appomattox, Virginia. Mr. Shutt explained that he had not come prepared to speak but felt compelled to ask the Board to fund the schools at a level that would best educate our children. Mr. Shutt asked the Board not to slide backwards but to go forward and leave the school budget as requested by the School Board.

Mr. Bosiger called for other comments.

Mr. John Fahrman came forward and gave his address as Route 2 Box 446, Appomattox, Virginia. Mr. Fahrman began by saying that he had two children in the school system and that he was a teacher in Campbell County. Mr. Fahrman asked the Board to reinstate funding to the school budget so that Appomattox can make efforts to move ahead of Campbell in education.

Mr. Bosiger called for other comments.

Hearing none, Mr. Bosiger declared the public hearing closed at 7:17 P.M.


Gareth K. Bosiger, Chairman

A recessed meeting of the Appomattox County Board of Supervisors was held on April 26, 1999 after the public hearing on the budget in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting back to order and explained that there were several issues pertaining to the FY2000 budget that needed to be discussed. Mr. Bosiger continued that the first issue was Board of Supervisor salaries.

Mr. Torrence stated that he had put considerable time into research on this matter and he felt a cap of \$4800.00 per Board member with an additional \$1200.00 for the Chairman was a fair and reasonable compensation for members of the Board.

After discussion, Mrs. Ferguson was asked to get an interpretation of the Code section that pertains to the issue of Board members salaries.

Mr. Bosiger explained that the next issue was the purchase of several guns for Animal Control use.

After discussion and by consensus of the Board it was agreed the leave funds in the FY2000 budget to purchase several guns needed in for Animal Control use.

Mr. Bosiger then explained that Mrs. Ferguson was concerned with the fact that the Animal Control Officer and the Building Inspector had no communication with the office.

Discussion followed with the issue of safety the major focus in the discussion.

After discussion and by consensus of the Board it was agreed to include cellular phone cost in the budget for the Animal Control Officer and the Building Inspector.

Mr. Bosiger then asked the Board if they wished to make any adjustments in the Sheriff's FY2000 budget.

A lengthy discussion followed.

After discussion and by consensus the Board agreed to reinstate funding to the Sheriff's FY2000 budget in order to level fund his FY1999 budget except that the dues for deputy's to the Sheriff's Association would be removed. Also the Board agreed to allow the Sheriff to replace two cars in FY2000.

Mr. Bosiger next explained that Mrs. Ferguson had included funds in the FY2000 budget to make the two part time maid's full time beginning July 1, 1999.

After discussion and by consensus of the Board it was agreed to make these two positions full time effective July 1, 1999.

The addition to the Sheriff's Office was discussed.

After discussion Mrs. Ferguson was instructed to contact Hal Craddock and get a written quote on the cost for the drawings for the Sheriff's Office and the Courthouse project.

By consensus of the Board it was agreed that the Sheriff's project and the Courthouse project would be done at different times.

Mr. Bosiger next reminded the members of the Board that funds had to be reinstated in the Library budget in order to receive full State funding.

After discussion and by consensus it was agreed to reinstate \$12,916.00 to the Library's FY2000 budget and meet with the Library Board on May 3, 1999 to tell them to begin the process of hiring a certified Librarian. The \$12,916.00 that would be reinstated was to go towards this salary.

Mr. Bosiger next brought before the Board the matter of the part time CSA Coordinator position.

After discussion and by consensus it was agreed that the \$15,000.00 administrative funding would have to be left in the CSA budget.

Mr. Bosiger explained that Mr. Danny Booker with Gladstone Fire Department had provided the requested budget for Board review.

After a lengthy discussion Mr. Torrence made a motion seconded by Mr. Moore to increase local donations to the rescue squads and fire departments outside the County to \$2000.00 annually. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next asked the other members of the Board what their wishes were concerning the School Board's budget request.

After discussion and by consensus of the Board it was agreed to reinstate \$46,450.00 to the schools FY2000 budget.

The following items were agreed upon to be paid out of the I.D.A. bond:

- \$40,000.00 final payment on the Appomattox County Rescue Squad building
- 10,000.00 final payment to Concord Rescue Squad on crash truck
- 10,000.00 final payment to Concord Fire Department on building
- 40,350.00 for a payment on Appomattox Fire Departments fire truck

By reducing the proposed FY2000 budget by the above amounts it would allow the funds to be reinstated to the schools budget and the Sheriff's budget.

Mr. Bosiger explained that prior to finalizing the budget an executive session was necessary to discuss a personnel issue.

At 9:15 P.M. Mr. Moore made a motion seconded by Mr. Carter to enter into executive session to discuss a personnel matter. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore at 10:00 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Carter seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger asked if there was action necessary from the executive session?

Mr. Carwile made a motion seconded by Mr. Torrence to increase Mrs. Tina Carter's salary by \$1000.00 effective July 1, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

The Board by consensus also agreed to reduce the CIP budgeted amount in order to cover the following items:

- \$40,000.00 to Pamplin Fire Department for their building
- 45,000.00 to cover two vehicles for the Sheriff's Department
- Additional funds to increase fire & rescue donations to outside agencies
- 12,916.00 funds reinstated to the Library's budget
- Increase in salary for the Landfill Operator

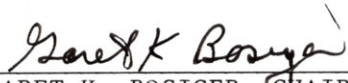
Mr. Bosiger then explained that the Regional Renaissance committee was again asking the Board of Supervisors for an appointment to their Board of Directors.

After discussion and by consensus it was agreed to appoint Phillip Paulette to the Regional Renaissance Board of Directors.

Mr. Bosiger explained that Mr. Ronnie Spiggle had been appointed as the Town's representative to the Public Safety Committee and asked the Board of Supervisors if they were prepared to make an appointment.

After discussion and by consensus of the Board it was agreed that since Mr. Bosiger was presently serving as Emergency Services Director for the County he should fill this position.

Being no further business, at 10:02 P.M. Mr. Torrence made a motion seconded by Mr. Moore to adjourn until April 29, 1999 at 6:30 P.M. at Jeanne's Restaurant for the 1999 Regional Dinner. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on May 3, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Garet K. Bosiger – Chairman – Falling River District
Samuel E. Carter – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Also Present:

Aileen T. Ferguson – County Administrator
Thomas W. Lawson – County Attorney
Andy Carroll – Assistant County Administrator

Mr. Bosiger called the meeting to order and asked Mr. Torrence to deliver the invocation.

Mr. Bosiger then called for approval of the bills for payment of May 3, 1999.

Mr. Carter questioned several invoices and Mrs. Ferguson explained that they had been coded in the wrong category. Mrs. Ferguson noted these errors for correction.

Mr. Carwile then made a motion seconded by Mr. Carter to approve the payments of the bills of May 3, 1999 as corrected. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next called for additions or corrections to the minutes.

Mr. Carter stated that in the minutes of the regular meeting of April 19, 1999 there was a typographical error on page "z". He continued that instead of Me. Carter it should read Mr. Carter.

Mr. Carter made a motion seconded by Mr. Moore to adopt the minutes of the regular meetings of April 5, 1999 and April 19, 1999 (as corrected); a joint meeting of April 12, 1999; a recessed meeting of April 12, 1999; and a joint public hearing of April 19, 1999. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then called on Ms. Sandra Lindsay, VDOT Resident Engineer, to appear before the Board.

Ms. Lindsay began by reporting that the Railroad was scheduled to begin work on the lower crossing on Main Street on May 17, 18, and 19. Ms. Lindsay continued that during this work the crossing would be closed. Ms. Lindsay explained that she is unaware of the details but knows that the work should begin the week of the 17th.

Ms. Lindsay then gave the status of the work to be done on route 632 and route 663. Ms. Lindsay stated that the bids should be released by the end of the month and hopefully the work could begin in July 1999.

Ms. Lindsay next told the Board that on April 15, 1999 the Commonwealth Transportation Board allotted \$350,000.00 to provide adequate access to Phase I development of the Appomattox County Industrial Park. Ms. Lindsay continued that this includes \$300,000.00 unmatched industrial access funds, and \$50,000.00 which will require a \$50,000.00 match from the County for a total of \$400,000.00. Ms. Lindsay explained that the right-of-way, environmental assessments, and utility easements are all the responsibility of the County.

Ms. Lindsay asked if anyone had an item of concern for her?

Mr. Carwile asked questions concerning the industrial access funds.

Ms. Lindsay explained that Phase I included the first two lots in the park. The funds are only for a road that goes to the two lots in Phase I. Ms. Lindsay explained that you might access these funds for the next phase to continue the roads as you develop beyond Phase I.

Mr. Moore asked if the sign at Oakville could be printed on both sides?

Ms. Lindsay stated she would look into this.

Mr. Torrence explained to Ms. Lindsay that someone had complained to him about a drainage ditch problem on route 701.

Ms. Lindsay said that she would look into this and report back.

Mr. Torrence asked if there was anything that could be done to provide access to a dwelling near the florist shop in Pamplin to keep them from having to use a private crossing over the railroad.

Ms. Lindsay explained that she knew of nothing through VDOT that could be done. Ms. Lindsay went on to say that there were a great number of private crossings in the State that the railroad would like to close.

Being nothing else for Ms. Lindsay she was thanked and excused.

Mr. Bosiger then asked the members of the Library Board to come forward.

Mr. Bosiger welcomed Mr. Cabiness, Terry Cestaro and Mrs. Miller.

Mrs. Cestaro began by saying that if the funds had been reinstated equal to FY99 then part of her presentation would not be necessary.

Mr. Bosiger explained that they would be level funded.

Mr. Cabiness explained that the Library Board's concern was with maintaining the same level of funding as last year in order not to lose State funding.

Mr. Bosiger explained that the \$12,912.00 had been restored to the Library budget under salaries with the understanding that the Library Board would proceed with hiring a Certified Librarian in order to receive full State funding.

Mrs. Cestaro explained that the Library Board was interested in making Shawn Chambers a full time employee with the new budget year. Mrs. Cestaro continued that currently Mr. Chambers worked 32 hours per week. Mrs. Cestaro provided information concerning the cost to the County to put Mr. Chambers on full time. Mrs. Cestaro explained that some of the benefits that would be derived from having this position full time would be additional help with the summer reading program, a 7% increase in the number of patrons at the Library, increase of 18% in the number of titles at the Library and an increase of 36% in the number of volumes in the Library. Mrs. Cestaro concluded by saying that she felt due to the above mentioned increase a third person was necessary for the proper operation of the Library.

Mr. Bosiger asked how many people were presently employed at the Library?

Mrs. Cestaro stated that there were presently two full time employees and three part time employees working at the Library.

Mrs. Cestaro stated that two of the part time people work only nine hours per week.

Mr. Bosiger stated that with a full time Librarian there would be an additional 40 hours per week that the Library Board had not counted on.

A lengthy discussion followed.

After discussion, Mrs. Ferguson was instructed to locate a job description and what the last Librarian's salary was and make this available to the Board of Supervisors at the next meeting.

Mr. Bosiger thanked and excused the members of the Library Board and called on Mrs. Barbara Bennett to appear before the Board.

Mrs. Barbara Bennett and Mr. Jack Eckert, Regional Renaissance, came forward and explained that they wished to talk to the Board concerning the County's participation in the Regional Renaissance project. Mrs. Bennett explained that she would be happy to answer any questions that the Board might have concerning the Regional Renaissance concept.

Questions and answers followed.

After discussion, Mr. Carwile made a motion seconded by Mr. Torrence to participate with Regional Renaissance. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger thanked and excused Mrs. Bennett and Mr. Eckert and called on Mr. Earl Dickerson with Hurt & Proffitt to appear before the Board.

Mr. Dickerson began that he had three items for the Board to address. Mr. Dickerson stated that the first was methane vents for the landfill. Mr. Dickerson explained that the bids were opened on April 29, 1999 and the low bidder was Recovery Drilling Services with a bid of \$37,000.00. Mr. Dickerson continued that everything in their bid was appropriate, their references were checked and they received excellent recommendations. Mr. Dickerson explained that the contractor would like to get started the first of next week if the Board approves the bid.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to accept Recovery Drilling Services bid of \$37,000.00 to install methane vents at the landfill and authorize the County Administrator to sign the contract. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Dickerson then stated that on April 13, 1999 the bids for the landfill baling building and the baler were opened. Mr. Dickerson stated that the low bid for the bailing building was \$468,000.00 from Coleman Adams. Mr. Dickerson continued that the time for

project completion was 180 days or four months from date of the notice to proceed. Mr. Dickerson continued that the low bid for the baler and conveyor was \$194,462.00 from Marathon Equipment. Mr. Dickerson stated that they had checked the references for Marathon Equipment and had received good reports.

A lengthy discussion followed with the service representative from Marathon Equipment answering questions of the Board.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to accept the bid for the baler from Marathon Equipment in the amount of \$194,462.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Moore to accept the bid from Coleman Adams in the amount of \$468,000.00 for the construction of the baling building at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being nothing further for Mr. Dickerson he was thanked and excused.

Mr. Bosiger then called for a five-minute recess.

Mr. Bosiger reconvened the meeting and stated that there was another item concerning the landfill that needed to be discussed.

Mr. Bosiger explained that the area at the landfill where stumps had been disposed was now full. Mr. Bosiger explained that in the absence of another area to be used for disposal of this debris, stumps would have to be disposed of in the cell in the future.

A lengthy discussion followed.

After discussion Mr. Carter made a motion seconded by Mr. Torrence to create a policy prohibiting the disposal of stumps at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger called for Supervisor Concerns.

Mr. Bosiger stated that he would like to begin by noting that Mr. Martin, Animal Warden, had been canvassing the various districts for the last few Saturdays checking dog tags and immunization records. Mr. Bosiger stated that he would like to invite Mr. Martin to visit his home first and check his dog license when he came into Falling River District.

Mr. Torrence stated that with the recent bomb threats at various schools throughout the area he felt that a resource officer should be placed in the schools to help with security.

Discussion followed.

After discussion, Mrs. Ferguson was asked to contact Sheriff Staples to see if he could meet with the Board to discuss this matter.

Mr. Bosiger then stated that the FY2000 budget was ready for adoption excluding the Social Services budget. Mr. Bosiger explained that Social Services had not heard from the State and Federal governments as to proposed funding.

Mr. Torrence asked if Mrs. Ferguson had come up with an answer concerning the proper way to handle raises for the members of the Board of Supervisors.

Mrs. Ferguson explained that Mr. Lawson was prepared to render an opinion on this matter.

Mr. Lawson explained that he felt the Board could set the salary now for the upcoming Board that would take office in January 2000.

Discussion followed.

After discussion, Mr. Torrence made a motion seconded by Mr. Carter to set the Supervisors annual salary at \$4800.00 with the Chairman getting an additional \$1200.00 effective January 1, 2000. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carter to adopt the FY2000 budget & the following resolution, excluding the Social Services budget.

COUNTY OF APPOMATTOX
APPROPRIATIONS RESOLUTION
FISCAL YEAR 2000

BE IT RESOLVED that the Board of Supervisors of Appomattox County, Virginia, hereby appropriates for the Fiscal Year commencing July 1, 1999 and ending June 30, 2000, from the funds, for the functions, and in the amounts indicated herein:

I. General Fund

1101 Board of Supervisors	602,069.00
1201 County Administrator	190,691.00
1204 County Attorney	15,950.00
1206 Independent Auditor	15,500.00
1209 Commissioner of Revenue	212,480.00
1210 Assessor/Reassessor	-
1211 Board of Equalization	-
1213 Treasurer	192,118.00

1301 Electoral Board/Officials	27,549.00
1302 Registrar	52,368.00
2101 Circuit Court	15,200.00
2102 General District Court	2,994.00
2105 Juvenile/Domestic Relations Court	4,900.00
2106 Clerk of Circuit Court	56,155.00
2107 Sheriff(Civil Server)	41,261.00
2109 Court Services Unit	33,100.00
2130 Magistrate	1,025.00
2201 Commonwealth Attorney	153,256.00
2220 Witness Advocate Grant	20,715.00
3102 Sheriff	1,101,752.00
3103 Sheriff (Town Police)	97,344.00
3106 DARE	10,000.00
3108 Crime Prevention Grant	-
3203 Volunteer Fire Departments	113,430.00
3203 Volunteer Rescue Squads	19,900.00
3204 Forestry Service	7,300.00
3301 Sheriff/Ja	130,247.00
i	
3401 Office of Building and Housing	59,997.00
3501 Animal Control	45,400.00
3503 Medical Examiner	500.00
3605 Emergency Services	2,000.00
4101 Road Viewers	125.00
4203 Refuse Collection	82,347.00
4204 Refuse Disposal	266,795.00
4206 Litter Grant	6,500.00
4207 Recyclin	24,395.00
4208 Tire Security	8,785.00
4302 General Properties	204,231.00
5101 Local Health Department	96,170.00
5105 Central Va Commission on Aging	4,058.00
5202 Central VaCommunityServices	27,864.00
5301 Social Services	4,507.00
5302 State Local Hospitalization	1,783.00
5309 Housing Worker Rental Assistance	21,638.00
5310 Comprehensive Services	63,993.00
6401 Central Virginia Community College	381.00
7102 Parks & Recreation Department	67,984.00
7104 Community Center	16,982.00

7109 Contributions	15,140.00
7301 Public Library	115,982.00
8101 Planning (CVPDC)	4,350.00
8103 Summer Youth	30,000.00
8104 Zoning	1,200.00
8105 Economic Development	126,798.00
8106 Chamber of Commerce	13,000.00
8111 Board of Zoning Appeals	700.00
8112 Planning Commission	2,200.00
8203 Robert E. Lee Soil and Water Conservation	9,319.00
8303 Extension Services	38,979.00
9203 Commissioner of Accounts	252.00
II. Capital Improvement Fund (Uncommitted)	257,899.00
III. Virginia Public Assistance Fund	1,069,757.00 (adopted 5-17-99)
IV. School Operating Fund	14,128,178.00
School Cafeterial Fund	740,500.00
School CIP fund	-
School Special	346,192.00
Projectfunds	

BE IT FURTHER RESOLVED, that the County Treasurer be, and is hereby, Authorized to transfer from the General Revenue Funds pursuant to this

Resolution, as monies become available, and from time to time to meet the Expenditures for amounts appropriated sums equal to, but not in excess of, the appropriations indicated for transfer, as Transfer to Schools (Operation) and Transfer to Department of Social Services for the period covered by this Appropriation Resolution. Other inter-fund transfers shall be in accordance with the direction of the Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger next presented the Planning Commission recommendations from the April 19, 1999 public hearing.

Mr. Bosiger explained that petition 99-373 of Bobby Moore had been withdrawn as of late this afternoon. Mr. Bosiger read a letter from Robert W. Carter, Jr., attorney for Mr. Moore requesting that Mr. Moore be allowed to withdraw his petition. Mr. Bosiger asked that since the petition had been withdrawn was the present use of the property in conformance with the zoning ordinance?

Mr. Carter stated that it was not.

Mr. Bosiger stated that from what he understands the property was presently being used to process chicken litter. Mr. Bosiger continued that the chicken litter was being brought in, stored, turned and then hauled out and that this was creating an odor that was offensive to the neighbors. Mr. Bosiger stated that secondly it was being used to store a mobile home. Mr. Bosiger asked if this were allowed in A-1.

Mrs. Ferguson stated that mobile homes were allowed in A-1 with the proper permits being issued.

Mr. Carter read a section from the zoning ordinance pertaining to the storage of the chicken litter.

Mr. Torrence stated that he was concerned that this was getting to be a problem with Mr. Moore petitioning the planning commission and then withdrawing his petition just to petition again.

Mr. Bosiger stated that he felt that Mr. Moore's request if granted would be spot zoning.

Mr. Carwile stated that we needed to go to the Comprehensive Plan and check to see what the plan is for this area and he feels that Mr. Bosiger is right in saying that it would be spot zoning to change this area to M-1.

Mr. Torrence said that he felt that there should be a rule that you could not apply for the same thing but once in order to cut down on unrest in the community.

Mr. Lawson referred to a letter that he had written to Mr. Moore on March 23rd in regards to the trailers on the property and the chicken litter being stored on the property.

Mr. Carwile asked if he could ask if there were a length of time that the chicken litter could be left on the property before it had to be moved?

Mr. Bosiger answered that according to the ordinance it could not be stored at all.

Mr. Carwile asked if there had been any complaints from the citizens in the area with reference to this particular issue?

Mr. Bosiger and Mr. Carter stated that there had been complaints concerning the chicken litter as late as today.

Mr. Torrence asked Mr. Lawson if there was any way to put this matter to rest.

Mr. Lawson stated that the only thing he knew to do would be to have Mr. Caldwell check the site and issue warrants for any violations that were noted.

Mr. Carter stated that he felt that there was no choice in this matter.

Mr. Carwile questioned if the proper way, instead of putting the burden on the Board, was to have enough citizen input come before the Board to back up and justify Board action.

Mr. Bosiger stated that the citizens were calling him and asking why the Board would not help them by enforcing the ordinance.

Mr. Carwile stated that we were moving into a different phase with the chicken litter.

Mr. Moore stated that violations of the code existed and he felt something should be done.

Mr. Carwile stated that he did not want to give the impression that the Board was acting as police officers looking for problems. Mr. Carwile continued that all he was saying was the Board needed justification from the people up there with a grievance it would give more support for the Board to act.

Mr. Bosiger stated that he did not understand why Mr. Carwile was not getting calls on this matter since it was in his district.

Mr. Carwile stated that he had received calls from both sides. Mr. Carwile continued that there were people who spoke well of Mr. Bobby Moore at the public hearing.

Mr. Torrence stated that the Board had personally observed that something was wrong and that there had been hearing after hearing on this matter and that the Board had a responsibility to take action on this matter. He continued that the people had complained and called and called and no action was taken to help them out.

Mr. Carter stated that he felt the Board did not have a choice.

Mr. Torrence stated that there was no nice way to handle this.

Mr. Carwile stated that this issue was dealing with the Wreck Island people and with what he had to look at he would have to be a neutral party in this matter.

Mr. Bosiger stated that he had voted against his convictions about increasing the Board of Supervisors salary in order to make it a unanimous decision. Mr. Bosiger continued that he felt that sometime you had to take a stand.

Mr. Carwile stated that the only thing he was saying was that when it looked like everything was more or less put to rest the Board was initiating something further.

Mr. Carter made a motion seconded by Mr. Torrence to instruct Mr. Caldwell to inspect Mr. Bobby Moore's property on Station Lane for zoning violations and take whatever steps are necessary to bring Mr. Moore into compliance immediately. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Moore, aye; Mr. Torrence, aye; Mr. Carwile abstained, because he had friends on both sides and it's in his district.

Mr. Bosiger then explained that the Planning Commission had recommended petition number 98-374 of Walter W. Davenport be disapproved.

Mr. Torrence made a motion seconded by Mr. Moore to accept the Planning Commissions recommendation and disapprove petition number 98-374 of Walter W. Davenport to rezone property from R-1 to A-1. Property is Tax Map No. 88-6-J and is located on Route 727 between Route 644 and Route 604. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there were several supplemental appropriations that were necessary for the Board to act on.

Mr. Carter made a motion seconded by Mr. Moore to make the following supplemental appropriations:

\$ 93.50 to 7301-5414

10.00 to 3501-5401

858.85 from the Law Library Fund.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$33,630.25 to 4204-3002 for methane relief vents and permit application preparation for "Part A" at the landfill. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to appropriate \$541,402.57 to the School Board for additional funds received. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$3,529.81 to the Chamber of Commerce to reimburse for postage. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then presented several line item transfers for approval.

Mr. Carter made a motion seconded by Mr. Moore to transfer \$2861.00 from 1101-5804 to 2107-1001 \$2448.00; 2107-2002 \$326.00; and 2107-2005 \$87.00. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter made a motion seconded by Mr. Torrence to transfer \$11,400.00 from the I.D.A. bond account to the Capital Improvement Fund. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger then explained that Mrs. Linda Bachman with VHDA had responded to the Board's request for information concerning the Section 8 Housing program.

Discussion followed.

After discussion and by consensus of the Board, it was agreed that Mrs. Ferguson should write Mrs. Bachman and explain that the Board as the governing body of the County is requesting this information in order to assure our citizens as well as ourselves that all citizens are being treated fairly and appropriately. The Board continued that they feel they need this information to ensure that the program is functioning as designed.

Mr. Bosiger explained that the next item on the agenda was a new benefit to employees that approves unreduced retirement at age 50 with 30 years of service. Mr. Bosiger explained that if the Board is not opposed to this benefit there is no action required.

No action was taken.

Mr. Bosiger then explained that an executive session was necessary to discuss a personnel issue and to discuss property.

At 10:18 P.M. on a motion by Mr. Carter seconded by Mr. Torrence it was agreed to enter into executive session to discuss a personnel matter and land acquisition. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence at 10:38 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Torrence seconded by Mr. Moore the following resolution was adopted:

WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

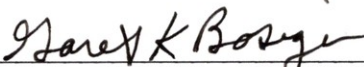
Mr. Bosiger asked if there was any business from the executive session.

Mr. Carter made a motion seconded by Mr. Torrence that the County take an option on the Bryant tract located on Route 691 for approximately 33 acres at \$7,000.00 per acre. The option would be in the amount of \$500.00 and for a term of ninety days with the County Administrator having the authority to sign the option. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Bosiger explained that there was a request for the use of the Courtland Field for a wedding reception on December 4, 1999.

Mr. Torrence made a motion seconded by Mr. Moore to allow the Courtland Field be used for a wedding reception on December 4, 1999 with the proper insurance in place. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no further business, Mr. Carter made a motion seconded by Mr. Moore to adjourn at 10:42 P.M. Vote: Mr. Bosiger, aye; Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.


GARET K. BOSIGER, CHAIRMAN

A joint public hearing of the Appomattox County Board of Supervisors, the Appomattox Town Council, the Appomattox County Planning Commission and the Appomattox County Board of Zoning Appeals was held on May 17, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Samuel E. Carter – Vice-Chairman – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Present (Town Council):

Ronnie Spiggle
Dick Bass

Joyce Bennett
Lewis McDearmon
Marvin Mitchell

Present (Planning Commission):

Al Sears
Calvin Tanner
Kevin O'Brien
Wayne Lewis
Marvin Mitchell
Russell Moore

Present (Board of Zoning Appeals):

Matt Lair
James Cheatham
Cliff Harvey

Absent (Board of Supervisors):

Garet K. Bosiger

Absent (Town Council):

Steve Lawson
Jimmy Mayberry

Absent (Planning Commission):

Claude A. Moore
Jim Sefter
Robert Johnson
Elizabeth Edwards

Absent (Board of Zoning Appeals):

Elizabeth Edwards
Vacant

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney
Bobby Jean Mullins – Town Clerk
David Garrett – Assistant Town Manager
Mr. William Phillips – Town Attorney
Mr. Caldwell – Clerk to Planning Commission

Mr. Carter called the public hearing to order stated the purpose of the hearing was to receive public comments on several zoning petitions. Mr. Carter then stated the procedure for addressing comments to the Board.

Mr. Carter asked Mr. Caldwell, Clerk to the Planning Commission to read the first petition.

Mr. Caldwell read petition number 99-378 of Clark Johnson, Jr. for a variance to front yard setback. Property is zoned R-2 and is located on Route 1010 between Route 631 and Dead End.

Mr. Carter called for comments on this petition.

Hearing none, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-379 of Robert C. Stephens to appeal decision denied by Town of Appomattox Zoning Administrator pertaining to use of lot located on Atwood Street.

Mr. Carter called for comments on this petition.

Hearing none, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-380 of David and June Johnson for a conditional use permit to allow a Bed and Breakfast in existing one family dwelling located on Church Street between Lee-Grant Avenue and Route 727. Property is zoned R-2.

Mr. Carter called for comments on this petition.

Hearing none, Mr. Carter asked Mr. Caldwell to read the next petition.

Mr. Caldwell read petition number 99-376 of Courtland Realty Associates to rezone property from A-1 to R-2. Property is Tax Map No. 90-A-107 and 90-A-94 and is located on Route 622 between Route 633 and Route 620.

Mr. Carter called for comments on this petition.

Hearing none, Mr. Carter asked Mr. Caldwell to read the final petition.

Mr. Caldwell read petition number 99-377 of J. Samuel Bryant Jr. for a conditional use permit to allow storage yard and landscaping material sales. Property is Tax Map No. 27-2-8 zoned B-1 and is located on Route 26 between Route 608 and Route 615. Mr. Caldwell explained that the petition was originally advertised incorrectly as being an M-1 district.

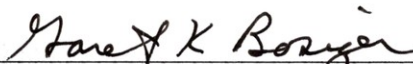
Mr. Carter called for comments on this petition.

Mrs. Deborah Jamerson came forward and gave her address as Route 4 Box 508, Appomattox, Virginia. Mrs. Jamerson explained that she lived directly across Route 26

from the property in question. Mrs. Jamerson explained that she questioned the conditional use because of a few problems that she had. Mrs. Jamerson continued that to begin with there was supposed to be a seven foot wall erected on this property under the last zoning change to permanently screen this lot from her residence which is zoned village. Mrs. Jamerson stated that this was never carried out. Mrs. Jamerson continued that at the present time, Mr. Bryant's property is zoned B-1. She stated that he advertises truck repair and welding, but is also running his own tractor-trailer trucks out of this property. Mrs. Jamerson stated that under B-1, the intent listed on page 17047 is that B-1 is not characterized either by constant heavy trucking, other than stocking and delivery of retail goods. Mrs. Jamerson stated that in reference to a conditional use permit, storage yards are not under B-1, but are under M-1. Mrs. Jamerson continued that secondly her property was zoned village and that under conditional uses livestock were permitted provided that no storage of manure or odor, dust, or fly producing substance or use is located within 500 feet of an existing residence. Mrs. Jamerson, in closing, stated that she also questioned what Mr. Bryant's plans were on how he would store the products that he planned to sell.

Mr. Carter called for other comments.

Hearing none, and being no further petitions, Mr. Carter declared the public hearing closed at 7:10 P.M.


GARET K. BOSIGER, CHAIRMAN

A regular meeting of the Appomattox County Board of Supervisors was held on May 17, 1999 at 8:20 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present:

Samuel E. Carter – Vice-Chairman – Appomattox Courthouse District
Frank H. Carwile – Wreck Island District
Russell H. Moore – Piney Mountain District
Dennis W. Torrence – Appomattox River District

Absent:

Garet K. Bosiger – Chairman – Falling River District

Also Present:

Aileen T. Ferguson – County Administrator
Andy Carroll – Assistant County Administrator
Thomas W. Lawson – County Attorney

Mr. Carter called the meeting to order after the public hearing at 8:20 P.M.

Mr. Carter then called for approval of the minutes of the recessed meeting of April 26, 1999.

Mr. Carwile made a motion seconded by Mr. Torrence to approve the minutes of the recessed meeting of April 26, 1999 as presented. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then called for Supervisor Concerns.

Mr. Carwile began by saying that he had a question concerning who was responsible for the upkeep of the industrial site and the recreational site. Mr. Carwile continued that Mr. Dale Campbell who has offered to cut the hay off the site and also bushhog the remainder of the site for a small fee had approached him.

Mr. Carroll stated that someone interested in cutting the hay off the site had also approached him and the I.D.A. was considering this request at this time.

Mr. Torrence suggested that whoever cuts the hay bushhog the remainder of the site at no cost.

Mr. Carter stated that he felt the I.D.A. should take care of this matter.

Mr. Carroll stated that the County would be responsible for the 100-acre recreational site and the I.D.A. would be responsible for the balance.

Mr. Moore stated that he did not see what difference it made who cut the hay.

Mr. Torrence suggested that Mr. Campbell be allowed to cut the hay off the 100-acre recreational site if he will bushhog the balance at no charge.

Mr. Moore stated that he didn't see what difference it would make if the property were allowed to grow up.

After discussion, and by consensus of the Board, it was agreed that Mr. Carroll would handle this for the County and the I.D.A.

Mr. Carwile then reminded the other members of the Board that at a prior meeting they had agreed to purchase business cards at the County's expense.

The other members of the Board remembered this issue and agreed that any Board member who wished to purchase business cards could do so at the County's expense.

Mr. Carter called for other Supervisor Concerns.

Hearing none Mr. Carter turned the Boards attention to the first administrative item, which was the appointment of citizens to the Regional Renaissance Steering Committee.

Mr. Carter suggested Mrs. Bonnie Hayes.

Mr. Carwile suggested Dr. James Mundy.

Mr. Torrence suggested Mrs. Carla Torrence.

Mr. Bosiger had previously suggested Mrs. Susan Book.

Mr. Moore suggested Mr. Fred Underwood.

Mr. Carter then explained that Mr. Philip Paulette had declined the appointment to the Board of Directors for Regional Renaissance. Mr. Carter continued that the Board would need to suggest another appointment.

After discussion and by consensus of the Board it was agreed to ask Mr. Bruce Cowan if he would be willing to serve in this capacity.

Mr. Carter then explained that Mr. Mark Drinkard had requested the use of the fields at Oakville to hold a volleyball tournament. The dates requested are June 12th and 13th.

After discussion, Mr. Torrence made a motion seconded by Mr. Moore to allow Mark Drinkard the use of the fields at Oakville for a volleyball tournament June 12th and 13th with the proper insurance. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then presented several supplemental appropriations for approval.

Mr. Torrence made a motion seconded by Mr. Moore to appropriate \$55.00 to 1101-5413 for a refund received. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$2906.00 to 4208-1003; \$223.00 to 4208-2001; and \$5.85 to 4208-2009; Emanuel Tire of Virginia will reimburse these funds. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carwile made a motion seconded by Mr. Torrence to appropriate \$25,046.73 to 4204-3002 to pay Hurt and Proffitt for design of baler and baler building site. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Torrence made a motion seconded by Mr. Carwile to appropriate \$50.00 to 3501-5802 to pay livestock damage claim. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Torrence to appropriate \$53,170.75 to 5310-3001 for supplemental appropriation received for the Comprehensive Services Act. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then stated that a line item transfer was necessary to cover health insurance premium for employees in the Commissioner of Revenue's Office.

Mr. Moore made a motion seconded by Mr. Carwile to transfer \$2,493.00 from 1101-2005 to 1209-2005 to pay health insurance premiums for employees. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then presented a letter from Sheriff Staples requesting the Board fund two resource officer positions. Mr. Carter explained that the Sheriff proposed to place one officer in the Middle School and one officer in the High School.

After discussion and by consensus of the Board it was agreed to table this matter until the full Board could act upon it at a later date.

Mr. Carter then explained that the General Assembly has approved a health insurance credit for retired local social service employees, constitutional officers, sheriff's and sheriff's deputies. Mr. Carter continued that the County could also authorize an additional health insurance credit for these individuals if they chose to do so.

After discussion and by consensus of the Board it was agreed to table this matter until a later date in order to allow time to consider the cost to the County for the additional health insurance credit.

Mr. Carter then presented the matter of hiring a certified Librarian and explained that the Board had agreed to provide a job description and salary for this position.

After discussion, Mr. Torrence made a motion seconded by Mr. Carwile to set the salary for this position at \$27,000.00 for an applicant with no experience and \$30,000.00 for an applicant with experience, with the understanding the Library Board may adjust this salary down if they see fit. The Board accepted the job description deleting the seven-year experience requirement. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then called on Mr. Earl Dickerson to come forward and present the contract for the baler building for approval.

Mr. Dickerson began by explaining that he had brought the contracts for the baler building for execution and wished to bring the Board up to date on this project. Mr. Dickerson explained that a letter had been received from the Department of Environmental Quality acknowledging receipt of the Part "A" application for the two new trenches. Mr. Dickerson continued that they informed the County that a new permit could not be issued until July 1, 2000. Mr. Dickerson did not consider this a problem.

Mr. Dickerson contended that there would be enough room in cell "T" to take the County well past this date. Mr. Dickerson also explained that legislation had been signed that effects the siting, design, and operation of new landfills and expansions of existing landfills in regards to wetlands.

A lengthy discussion followed.

After discussion and by consensus of the Board it was agreed to proceed with this project as planned.

Mr. Torrence made a motion seconded by Mr. Carwile to execute the contract for the baler and authorize the County Administrator to sign the contracts. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then presented the FY2000 budget for the Department of Social Services.

Mr. Moore made a motion seconded by Mr. Carter to approve the FY2000 budget for the Department of Social Services totaling \$1,069,757.00 with \$173,033.00 of the budget amount being local funds. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Moore made a motion seconded by Mr. Carter to adjust the revenue and budget for FY2000 to reflect the approved Social Service FY2000 budget. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Mr. Carter then explained that an executive session was necessary for personnel and consultation with a consultant.

At 9:20 P.M. Mr. Torrence made a motion seconded by Mr. Carwile to enter into executive session to discuss a personnel matter and consultation with consultant. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence at 10:15 P.M. it was resolved the Board of Supervisors return to regular session. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

On a motion by Mr. Moore seconded by Mr. Torrence the following resolution was adopted:

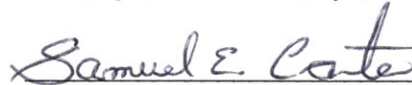
WHEREAS, the Appomattox County Board of Supervisors has convened an executive meeting this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344, of the Code of Virginia, 1950, as amended requires a certification by the Appomattox County Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED that the Appomattox County Board of Supervisors hereby certified that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification motion applies, and (ii) only such executive matters were heard; discussed or considered by the Appomattox County Board of Supervisors.

Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.

Being no action necessary from the executive session, Mr. Carwile made a motion at 10:35 P.M. seconded by Mr. Moore to recess until after the public comment session on May 24, 1999. Vote: Mr. Carter, aye; Mr. Carwile, aye; Mr. Moore, aye; Mr. Torrence, aye.



SAMUEL E. CARTER, VICE-CHAIRMAN

A public forum of the Appomattox County Board of Supervisors and the Appomattox County School Board was held on May 24, 1999 at 7:00 P.M. in the Courthouse, Courthouse Square, North Court Street, Appomattox, Virginia.

Present (Board of Supervisors):

Garet K. Bosiger – Chairman – Falling River District
 Samuel E. Carter – Appomattox Courthouse District
 Frank H. Carwile – Wreck Island District
 Russell H. Moore – Wreck Island District
 Dennis W. Torrence – Appomattox River District

Present (School Board):

Lannis Selz
 Kenneth McClenny
 Bobby Mitchell

Absent (School Board):

Martha Pankey
 Jean Mills

Also Present:

Aileen T. Ferguson – County Administrator
 Andy Carroll – Assistant County Administrator
 Thomas W. Lawson – County Attorney
 Blair Smith – Fauber Architects
 Earl Dickerson – Hurt and Proffitt

Mr. Carter called the public forum to order and introduced the site selection committee.

Mr. Torrence then gave a brief and informative presentation reviewing the origin of the committee and the history of the elementary school project.

Mr. Blair Smith, Fauber Architects, then presented information why the existing school doesn't meet today's requirements or standards. Among the issues that Mr. Smith presented were adequate lighting, safety and security. Mr. Smith explained that by today's standards for elementary schools each classroom is required to have at least 800-sq. ft. of space. Mr. Smith continued that 2/3rds of the present classrooms do not meet State standards for elementary schools. Mr. Smith explained that when the State Department of Education did an audit of the schools they recommended tearing down the old part of the elementary school. Mr. Smith stated that the present school site was only 13.25 acres. Mr. Smith continued that you could get by with the land on the present site but there were other inadequacies of the present site. In closing Mr. Smith stated that what he had just presented was a brief rundown of why the present school did not meet today's needs.

Mr. Carter next asked Mr. Torrence if he would report on the potential site selection.

Mr. Torrence began by saying that the site committee began meeting approximately two years ago and that in that time they had reviewed numerous sites for possible selection.

Mr. Torrence listed the following as sites that had been considered:

- John Cole's property on Route 727
- Behind the High School - four different tracts needed
- Henry Wright's site
- Pullium Farm
- Industrial Park and Recreational Facility
- Courtland Realty
- Jamerson Property behind the present school
- Central Virginia Electric Co-op
- Wilbun Site
- Clayton Bryant site on Route 691

Mr. Torrence continued that an engineering study had been done on the Wilbun site and the Bryant site.

Mr. Torrence stated that in looking for a site they were looking for a few major things.

- 1- 20 to 30 acres was needed
- 2- needed to be in close proximity to the other schools
- 3- needed to be out of the congested area
- 4- fairly close to water and sewer

Mr. Torrence stated that in the end it came down to three options. Renovation, the Wilbun site or the Bryant site. Mr. Torrence continued that all three options were in the 10 million-dollar range and that the committee favored building a new facility. Mr. Torrence continued that prior to recommending a specific site the committee had appraisals done on both the Wilbun site and the Bryant site, which indicated that the price per acre for the Bryant site was within normal range. Mr. Torrence concluded by saying

that there was an urgent need to make a decision on this site in order to proceed with the necessary plans.

Mr. Carter then asked Mr. Earl Dickerson, Hurt & Proffitt, to present the engineering analysis for the two sites.

Mr. Dickerson began by explaining that Hurt & Proffitt had been commissioned to provide site analysis for the Wilbun site and the Bryant site. Mr. Dickerson continued that the project engineer, Mr. Stewart Rayburn, did most of the work for these two sites and he would be making the presentation. Mr. Rayburn gave detailed information concerning both sites.

Mr. Carter then explained that the next presentation would be by Mr. Blair Smith in regards to construction/renovation cost comparison.

Mr. Smith provided the cost comparisons for the various options. (Document on file in the May 1999 Board File.)

Mr. Carter next asked Mr. Lannis Selz to present the financial aspect of this project. Mr. Selz began that he would not go into great detail concerning the financial aspects of this project. He continued that he would just like to say that the decisions that have been made in the last few years by the Board of Supervisors have been made with the knowledge that there would be an elementary school project in the future. Mr. Selz stated that the debt service schedule has been done and this has been taken into consideration. Mr. Selz explained the various options that are available to finance this project.

Mr. Carter then asked Mr. Blair Smith to provide a time line for this project.

Mr. Smith explained that the Elementary School Project would take approximately 2 years to complete.

Mr. Torrence stated that waiting to proceed with this project was going to cost the County more in the long run. Mr. Torrence brought the audiences attention to a graph that had been provided showing the County's debt service. Mr. Torrence stated that there would certainly be a tax increase to fund some of these projects but things were not going to get any cheaper.

Mr. Carter then called for public comment.

Mrs. Nina Beasley came forward and gave her address as Appomattox, Virginia. Mrs. Beasley was concerned with how much land would have to be taken to improve Route 691 up to the proposed school site. Mrs. Beasley explained that she was not opposed to the project but was only concerned with the increase in traffic on Route 691.

Mr. Carter called for other comments.

Mrs. Renee Martin came forward and gave her address as Route 1, Spout Spring, Virginia. Mrs. Martin began by thanking the Board of Supervisors for looking at the schools problems. Mrs. Martin continued that a new school was definitely needed. Mrs. Martin explained that she had compiled a list of concerns with the present school but Mr. Smith had listed all of her concerns in his presentation.

Mr. Carter called for other comments.

Mr. Brett Thompson came forward and gave his address as Route 5 Box 252, Appomattox, Virginia. Mr. Thompson began that he was pleased with the idea of the new school. He continued that the proposed site was definitely in a beautiful area. Mr. Thompson stated that it was important for a community to have a good school system. Mr. Thompson continued that he was concerned with what would be done with the present building if a new school were relocated elsewhere. Mr. Thompson, in conclusion, stated that he was however concerned with the increased traffic that the school would place on Route 691.

Mr. Carter called for other comments.

Mrs. Susan Shutt came forward and gave her address as Route 5, Appomattox, Virginia. Mrs. Shutt began that she was the President of the PTO for next year and that she had great concerns with the present school. Mrs. Shutt continued that the location of the parent drop-off was a major concern because children going to and from the playground area had to cross the parking lot. Mrs. Shutt stated that the present school was extremely hot and that the office was not located in a central area. Mrs. Shutt thanked the Board for considering new school construction versus renovation.

Mr. Carter called for other comments.

Mr. Gary Gilliam came forward and gave his address as Route 5, Appomattox, Virginia. Mr. Gilliam began by asking if a site layout had been done on the Wilbun Site?

Mr. Gilliam was assured that a site layout had been performed on the Wilbun site.

Mr. Gilliam continued that he encouraged the Board to build new although he was concerned with school bus patterns and the water and sewer to the Bryant site.

Mr. Carter called for other comments.

Mrs. Renee Hoffman came forward and gave her address as Route 5 Box 370, Appomattox, Virginia. Mrs. Hoffman began that she agreed with Mr. Smith on all of the problems that were noted with the present school. Mrs. Hoffman thanked the committee and the members of the various Boards for approaching this project in an enlightened manner. Mrs. Hoffman stated that she could see no reason to renovate the present school. Mrs. Hoffman continued that she had no problem with taxes being raised as long as she received value for her money. In conclusion, Mrs. Hoffman stated that perhaps various

civic organizations would be interested in renting office space at the present elementary school instead of the members working from their homes.

Mr. Carter called for other comments.

Mrs. Bonnie Tillotson came forward and gave her address as Route 5 Box 724, Appomattox, Virginia. Mrs. Tillotson began by saying that she liked the idea of a new school. Mrs. Tillotson continued that she liked the Bryant site location but was concerned with the price per acre that the Board was willing to pay. Mrs. Tillotson also stated that she felt a local contractor should get the construction contract for a new school. Mrs. Tillotson explained that in her opinion the Wilbun site was a superior site because of its proximity to the high school. Mrs. Tillotson also stated that G. H. Jamerson and Mr. Fred Jones had property joining the present elementary school site and they were willing to owner finance this property.

Mr. Carter called for other comments.

Mrs. Janice Marston came forward and gave her address as Route 1, Appomattox, Virginia. Mrs. Marston explained that she was the principal at the elementary school and that she had grave concerns with safety and security at the present school. Mrs. Marston continued that space was needed for instructional programs and the present school was not accessible for handicapped children to be able to participate in all the programs. Mrs. Marston thanked the members of the various Boards for considering new construction.

Mr. Carter called for other comments.

Ms. Kim Raye came forward and gave her address as Route 2, Appomattox, Virginia. Ms. Raye explained that she moved here because of the school system. Mrs. Raye explained that she was in favor of a new school but felt the Board should continue the use of the present building for some purpose.

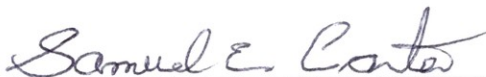
Mr. Carter called for other comments.

Mr. Robert Tillotson came forward and gave his address as Route 5, Appomattox, Virginia. Mr. Tillotson began by saying that he was in favor of a new school. Mr. Tillotson continued that he would like to see a local contractor receive the bid for the construction. Mr. Tillotson continued that he had a problem with the appraisal of the Bryant site. Mr. Tillotson continued that in the long run of a school he felt that the Board should look at the best site. Mr. Tillotson stated that G. H. Jamerson had a site right behind the present school and that the Board should seriously consider this site. Mr. Tillotson also stated that Mr. John Cole had property that would be ideal and that sometimes you had to go out and talk to people in order to get the best deal. Mr. Tillotson continued that maybe the Board was missing a good opportunity by not considering the Wilbun's property more closely. In closing Mr. Tillotson asked the Board to take a look at their Comprehensive Plan for the County prior to making a final decision.

Mr. Carter called for other comments.

Hearing none, Mr. Carter thanked all present for their comments and for coming out and taking an interest in this very important issue.

Mr. Carter declared the public forum closed at 8:50 P.M.



SAMUEL E. CARTER, VICE-CHAIRMAN

